ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN AGENDA

DATE	September 9, 2022
TIME	13:00 – 15:55 (followed by agenda overflow buffer of 20 mins if needed)
LOCATION	**Hybrid Event** Pan Pacific Vancouver *(300-999 Canada Place, Vancouver, Crystal Pavilion Ballroom)* & Virtually Via Zoom (*Meeting Link Sent Via Outlook Invitation)*

13:00 **(5 mins)**	**4.0 OPEN SESSION CALL TO ORDER** Chair: Carol Park, P.Eng., President **MOTION: That Council approve the Open Agenda in its entirety.**	
13:05 **(5 mins)**	4.1 Declaration of Conflict of Interest	
13:10 **(10 mins)**	4.2 Safety Moment	
13:20 **(5 mins)**	**5.0 OPEN CONSENT AGENDA** **MOTION: That Council approve all items (5.1 to 5.7) on the Open Consent Agenda.**	
	5.1 June 17, 2022 Open Minutes **MOTION: That Council approve the June 17, 2022 Open Meeting minutes as circulated.**	June 17, 2022 Open Minutes
	5.2 Appointments Approval **MOTION: That Council approve the recommended re-appointments to the Discipline Committee as applicable.** **MOTION: That Council approve the recommended re-appointments to the Investigation Committee as applicable.**	

	5.3 Vice President Needs Assessment **MOTION: That Council approves the Vice President Needs Assessment.** *Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy*	Vice President Needs Assessment
	5.4 Annual General Meeting Agenda **MOTION: That Council approves the agenda of the 103rd Annual General Meeting of Engineers and Geoscientists BC.** *Ollie Campbell, Action Associate Director, Corporate Governance & Strategy*	Annual General Meeting Agenda
	5.5 Representatives to External Boards **MOTION: That Council approve changes to the Policy on Council Meetings.** *Ollie Campbell, Acting Associate Director, Corporate Governance and Strategy*	Representatives to External Boards
	5.6 Policy Update - Role of CEO **MOTION: That Council approve the updated Role of Chief Executive Officer policy as presented.** *Deesh Olychick, Acting Chief Operating Officer* *Jennifer Cho, Chief Financial & Administration Officer* *On behalf of Executive Sub-Committee*	Policy Update – Role of the CEO
	5.7 Information Reports	
	5.7.1 CEO Report (Open Session) *Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer*	CEO Report (Open)
	5.7.2 Regulation of Firms Update *Kelly Dayman, P.L.Eng., Associate Director, Regulation of Firms*	Regulation of Firms Update
	5.7.3 Divisions Activity Annual Report *Alice Kruchten, P.Eng., Practice Advisor, PPSD*	Divisions Activity Annual Report
	5.7.4 Branch Engagement Update Report *Ailene Lim, Associate Director, Programs and Professional Development* *Tim Verigin, Manager, Programs*	Branch Engagement Update Report

	5.7.5 Registration Admissions Report to Council for 2022 *Jason Ong, Director, Registration*	Registration Admissions Report to Council for 2022
	5.7.6 Update on Multi-Jurisdictional Online Technical Examinations Pilot *Jason Ong, Director, Registration* *Michelle Cheng, Manager, Examinations, Geoscience, Registration Integrity and Policy*	Update on Multi-Jurisdictional Online Technical Examinations Pilot
	5.7.7 Engineers Canada Directors' Report *Dr. Mike Wrinch, P.Eng., FEC, FGC (Hon.), Engineers and Geoscientists BC representative to Engineers Canada* *Ann English, P.Eng., FEC, FCSSE, Engineers and Geoscientists BC representative to Engineers Canada*	EC Directors' Report
	5.7.8 Geoscientists Canada Director's Report *Del Ferguson, P.Geo., P.L.Eng., FGAC, FGC Engineers and Geoscientists BC representative to Geoscientists Canada*	GC Director's Report
	5.7.9 Canadian Engineering Qualifications Board Report *Karen Savage, P.Eng., FEC, Engineers and Geoscientists BC representative to the Engineers Canada Qualifications Board*	CEQB Report
	5.7.10 Canadian Engineering Accreditation Board Report *Julius Pataky, P.Eng., Engineers and Geoscientists BC representative to the Engineers Canada Accreditation Board*	There is no update report included in this agenda package as the CEAB has not met since the last meeting of Council.
	5.7.11 Council Attendance Summary Report *Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer*	Council Attendance Summary Report
	5.7.12 Engineers and Geoscientists BC Road Map for 2021/2022 *Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer*	Council Road Map
	5.7.13 July 18, 2022 Consent Resolution	July 18, 2022 Consent Resolution
13:25	**6.0 OPEN REGULAR AGENDA**	

13:25 **(30 mins)**	6.1 PricewaterhouseCoopers LLP (PwC) Auditor's Report FY2022 **MOTION 1: That Council accept the report of the Audit Sub-Committee.** **MOTION 2: That Council approve following appropriation from the unrestricted General Operating Fund effective June 30, 2022:** **a) $965,850 to the Property, Equipment, and Systems Replacement Fund; and** **b) $500,000 to the Legal and Insurance Fund.** **MOTION 3: That Council approve the audited Engineers and Geoscientists BC Financial Statements for the fiscal year ended June 30, 2022.** **MOTION 4: That the President and the Chief Executive Officer be authorized to sign the fiscal 2022 Financial Statements on behalf of Council.** **MOTION 5: That Council approve the appointment of PricewaterhouseCoopers LLP, CPAs as Engineers and Geoscientists BC's external auditors for the fiscal year ending June 30, 2023.** *Suky Cheema, CPA, CA, Chair, Audit Council Sub - Committee*	PricewaterhouseCoopers LLP (PwC) Auditor's Report FY2022
13:55 **(20 mins)**	6.2 Amendments to the Bylaws of Engineers and Geoscientists BC **MOTION: That Council approve the attached amended draft Bylaws and authorize staff to forward these amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the *Professional Governance Act*.** *Efrem Swartz, LLB, Director, Legislation, Ethics and Compliance* *Klara Hillmann, Regulatory Officer*	Bylaw Amendments
14:15 **(10 mins)**	6.3 Council Remuneration Policy **MOTION: That Council approve the Council Remuneration Policy as presented, replacing existing policy CO-08-103 (Remuneration of Government Appointed Councillors), effective October 15, 2022.** *Ollie Campbell, Acting Associate Director, Corporate Governance and Strategy*	Council Remuneration Policy
14:25 **(10 mins)**	6.4 Policy on Statutory Committee Term Lengths **MOTION: That Council approves the proposed Policy on Statutory Committee Term Lengths.**	Policy on Statutory Committee Term Lengths

	Ollie Campbell, Acting Associate Director, Corporate Governance and Strategy	
14:35 **(15 mins)**	**BREAK**	
14:50 **(20 mins)**	6.5 Operationalization of the Professional Governance Act **For information only.** *Mark Rigolo, Director, Programs and Professional Development*	Operationalization of the Professional Governance Act
15:10 **(45 mins)**	6.6 Lesson Learned Continuing Education and Annual Renewal Program **For information only.** *Stuart Nash, P.Eng., Manager, Individual Audits and Practice Reviews* *Lindsay Steele, P.Geo., Associate Director, Professional Practice Standards and Development*	Annual Reporting and Continuing Education Program Update
15:55	**END OF OPEN SESSION**	
15:55 **(20 mins)**	**AGENDA OVERFLOW BUFFER**	
16:15 **(15 mins)**	**BREAK BEFORE IN-CAMERA SESSION**	
16:30 **(60 mins)**	**IN-CAMERA SESSION**	
17:30	**ADJOURNMENT**	

MINUTES OF THE OPEN SESSION OF THE FIFTH MEETING OF THE 2021/2022 COUNCIL of Engineers and Geoscientists BC, held on JUNE 17, 2022 in the Oceanview Rooms 5-8, Pan Pacific Vancouver and virtually via Zoom.

Present

Council		
	Carol Park, P.Eng.	President (2021/2022)
	Mark Adams, P.Eng.	Vice President (2021/2022)
	Larry Spence, P.Eng.	Immediate Past President (2021/2022)
	Suky Cheema, CPA, CA	Councillor (2021/2022)
	Leslie Hildebrandt, LL.B, ICD.D	Councillor (2021/2022)
	Emily Lewis, CPA, CMA	Councillor (2021/2022)
	Michelle Mahovlich, P.Eng., P.Geo.	Councillor (2021/2022)
	Jessica Steeves, P.Eng.	Councillor (2021/2022)
	Kevin Turner. P.Eng., FEC, FGC (Hon.)	Councillor (2021/2022)
	Brent Ward, P.Geo., FGC, FEC (Hon.)	Councillor (2021/2022)
	Jens Weber, P.Eng.	Councillor (2021/2022)
Regrets		
	David Wells, JD	Councillor (2021/2022)
Guests		
	Dr. Mike Wrinch, P.Eng., FEC, FGC (Hon.)	Engineers and Geoscientists BC Director to Engineers Canada
	Ann English, P.Eng., FEC, FCSSE	Engineers and Geoscientists BC Director to Engineers Canada
	Del Ferguson, P.Geo.,P.L.Eng., FGAC, FGC	Engineers and Geoscientists BC Director to Geoscientists Canada
	Dr. Mahmoud Mahmoud, P.Eng., FEC	Chair of the Canadian Engineering Qualifications Board
	Julius Pataky, P.Eng.	Engineers and Geoscientists BC Representative to the Canadian Engineering Accreditation Board
	Dr. Malcolm Shield, P.Eng.	Chair, Climate Change Advisory Group
	Dr. Lucas Bichler	Director, pro term, Professor, School of Engineering, UBC Okanagan Campus
Staff		
	Heidi Yang, P.Eng., FEC, FGC (Hon.)	Chief Executive Officer
	Deesh Olychick	Acting Chief Operating Officer
	Jennifer Cho, CPA, CGA	Chief Financial & Administration Officer
	Efrem Swartz	Director, Legislation, Ethics & Compliance
	Peter Mitchell, P.Eng.	Director, Professional Practice, Standards & Development
	Jason Ong	Director, Registration (acting in the role of Chief Regulatory Officer & Registrar)
	Kevin O'Connell, CPHR	Director, Human Resources & Facilities
	Megan Archibald	Director, Communications & Stakeholder Engagement
	Lindsay Steele, P.Geo.	Associate Director, Professional Practice

Ollie Campbell	Acting Associate Director, Corporate Governance & Strategy
Vicki Charman	Associate Director, Engineering Admissions
Harshan Radhakrishnan, P.Eng.	Manager, Climate Change and Sustainability Initiatives
Ros Seibert	Senior Policy and Governance Analyst
Marci Cochrane	Diversity Outreach Coordinator
Tracy Richards	Executive Assistant to CEO and to Council
Allison Ross	Executive Assistant to the CRO, CFAO & COO

OPEN SESSION – CALL TO ORDER

Carol Park, P.Eng., President and Chair, called the meeting to order at 10:45 a.m.

The Chair began the meeting by acknowledging the ancestral, traditional and unceded Aboriginal territories of the Coast Salish people and the Musqueam, Squamish and Tsleil-waututh Nations on whose territory she stands.

Deesh Olychick, Acting Chief Operating Officer acted as the Governance Advisor for the meeting.

Guests: The Chair welcomed the following guests to the Open Session: Mike Wrinch, P.Eng., FEC, FGC (Hon.) and Ann English, P.Eng., FEC, FCSSE, Engineers and Geoscientists BC's Directors to Engineers Canada, Del Ferguson, P.Geo.,P.L.Eng., FGAC, FGC, Engineers and Geoscientists BC's Director to Geoscientists Canada, Mahmoud Mahmoud, P.Eng., FEC, Chair of the Canadian Engineering Qualifications Board, Julius Pataky, P.Eng., Engineers and Geoscientists BC's appointee to the Canadian Engineering Accreditation Board, Dr. Malcolm Shield, P.Eng., Chair, Engineers and Geoscientists BC's Climate Change Advisory Group and Dr. Lukas Bichler, Director, pro term, Professor, School of Engineering, UBC Okanagan Campus.

CO-22-69 OPEN AGENDA

MOTION **It was moved that Council approve the Open Agenda in its entirety.**

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None declared.

CO-22-70 OPEN CONSENT AGENDA

MOTION **It was moved that Council approve all items (5.1 to 5.4) on the Open Consent Agenda.**

CARRIED

Motions carried by approval of the Consent Agenda:

5.1 April 22, 2022 Open Minutes

MOTION: That Council approve the April 22, 2022 Open Meeting minutes as circulated.

5.2 Appointments Approval

MOTION: That Council approve the recommended re-appointments to the Discipline Committee as applicable.

Individual, Designation	Position	Engineers and Geoscientists BC Volunteer Group/Outside Organization	Staff Contact	Start Date	Expiry Date	New/Returning/ * Over 6 Years
New Appointments and Re-Appointments (over six years)						
Thomas Leung, P.Eng., Struct.Eng.	Member	Discipline Committee	Jesse Romano	June 20/22	June 20/24	Over six years
Re-appointments (under six years)						
Christopher Newcomb, P.Eng.	Member	Discipline Committee	Jesse Romano	July 30/22	July 30/24	Returning

5.3 Independent Chief Electoral Officer

MOTION: That Council maintain the current practice of the Chief Executive Officer serving as the Chief Electoral Officer.

5.4 The following information reports were received by Council:

- CEO Report (Open Session)
- Regulation of Firms Update
- Equity, Diversity and Inclusion (EDI) Initiatives Update
- Selection of Nominees for Election to Council
- Council Evaluation Process for 2022

- Update on the Implementation of Canadian Environmental Competencies
- 2017-2022 Strategic Plan Closeout Report
- OSPG Familiarization Results Update – Phase 4
- Annual Reporting and Continuing Education Program Update
- Engineers Canada Directors' Report
- Geoscientists Canada Director's Report
- Canadian Engineering Qualifications Board Report
- Canadian Engineering Accreditation Board Report
- Engineers and Geoscientists BC Road Map for 2021/2022

CO-22-71 VICE PRESIDENT APPOINTMENT POLICY

MOTION: It was moved that Council approve the updated Vice President Appointment Policy.

CARRIED

CO-22-72 AGM MEETING RULES

MOTION: It was moved that Council approve the 2022 AGM Rules of Order.

CARRIED

CO-22-73 CLIMATE CHANGE ACTION PLAN UPDATE PRESENTATION

Dr. Malcolm Shield, P.Eng., Chair of the Climate Change Advisory Group (CCAG) provided Council with an update on the work performed by the CCAG to date, including collaboration and partnerships, emerging practice areas, practice resources and next steps.

There was no motion associated with this item.

CO-22-74 BC HIGHER EDUCATION INSTITUTION UPDATE PRESENTATION

Dr. Lukas Bichler, Director, pro term, Professor, School of Engineering, UBC Okanagan Campus presented to Council on the School of Engineering UBC Okangan. The presentation included an overview of the School of Engineering, EDI initiatives, new engineering programs, research clusters & facilities as well as community and industry collaboration projects.

There was no motion associated with this item.

END OF OPEN SESSION

The meeting ended at 12:25 p.m.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.3

DATE	August 19, 2022
REPORT TO	Council for Decision
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy
SUBJECT	Vice President Needs Assessment
LINKAGE TO STRATEGIC PLAN	People and Culture - Our talent, tools, and work environment create an engaged organizational culture.

Purpose	To review and confirm the Vice President Needs Assessment.
Motion	That Council approves the Vice President Needs Assessment.

BACKGROUND

Council will select the Vice President from amongst the elected registrant councillors, in accordance with the Policy on Vice President Appointment.

The Policy requires Council's approval of the Vice President Needs Assessment.

The Vice President Needs Assessment comprises two sections:

- Section A: Challenges and Opportunities for the upcoming Council year
- Section B: Role and Responsibilities for the Vice President

The Governance Sub-committee reviewed the Section A of the Vice President Needs Assessment and recommended that it be bought forward for Council's review and approval.

DISCUSSION

Council is requested to confirm that Section A – Challenges and Opportunities for the upcoming Council year - of the Vice President Needs Assessment reflects the challenges and opportunities for the upcoming year before it is presented to Council for approval at their September meeting.

Section B - Role and Responsibilities of the Vice President – is based upon the role profile approved by Council in June 2020. It is not intended for the role profile to be updated each year; this is a longer-term position description intended to be reviewed every few years.

The updated Vice President Needs Assessment can be found as Appendix A.

RECOMMENDATION

It is recommended that Council approve the Vice President Needs Assessment.

MOTION

That Council approves the Vice President Needs Assessment.

APPENDIX A: Vice President Needs Assessment

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

VICE PRESIDENT NEEDS ASSESSMENT

The fundamental responsibility of the Vice President is to support and advise the President in providing effective leadership to the Council. The Vice President provides leadership in managing the Council's work in the absence of the President.

SECTION A: CHALLENGES AND OPPORTUNITIES

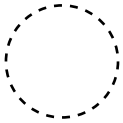
The following is a high-level summary of challenges and opportunities for the 2022/2023 Council year. Recognizing the challenges and opportunities, knowledge and familiarity of Engineers and Geoscientists BC's key strategic issues and strong communication skills will be essential for the upcoming year.

- Continued implementation of the *Professional Governance Act* and change management, including:
  - Establishment and codification of appropriate boundaries of regulated and reserved practice with other Regulatory Bodies
  - Oversight of the impact of new obligations for registrants: Continuing Education, Annual Information Reporting, regulation of firms
  - Assessing impact on volunteerism
- Ensuring focus on priorities of new strategic plan to guide the organization forward
- Optimizing the Council Sub-committee structure
- Navigating the culture shift from Council to Board and what it means to the organization
- Evolution of our enterprise risk management program and its maturity

SECTION B: ROLE AND RESPONSIBILITIES

OVERVIEW

The Vice President of Engineers and Geoscientists BC plays an important leadership role supporting the organization to fulfill its mandate and live its values. The Vice President makes a key contribution to the protection of the public and the integrity of the professions of engineering and geoscience in BC.



The Vice President provides leadership in managing the Council's work in the absence of the President and acts as a sounding board for the President.

The Vice President should have a strong understanding of Engineers and Geoscientists BC's operations; a commitment to good governance; strong inter-personal and communications skills; and the time and energy to commit to the role. Specific leadership competencies and attributes that are important to this role are set out below.

Solid Business Experience: The Vice President should bring board leadership experience including, a degree of financial literacy, knowledge of the profession, together with analytical thinking, strategic perspective and mature business judgment. The Vice President, and the Council as a whole, should have credibility with the profession and broader stakeholder group.

Communication and Relationships: The Vice President must have excellent interpersonal and communications skills and be able to establish and maintain an excellent working relationship with Councillors, President, management, and all stakeholders, including registrants.

Time, Energy and Commitment: It takes time, energy and commitment to carry out the expectations of good governance as Vice President. The Vice President must be passionate about Engineers and Geoscientists BC, committed to the role of Vice President and have the time, energy and flexibility to do all that is required and expected.

ACCOUNTABILITY

The Vice President is accountable to the Council, as a whole.

TERM

The Council appoints the Vice President to serve for a one-year term.

KEY RESPONSIBILITIES

In addition to the key expectations and responsibilities outlined in the Councillor Position Description and Role Profile, the fundamental responsibility of the Vice President is to support and advise the President in providing effective leadership to the Council. Within this context, specific responsibilities include:

KEY COUNCIL PROCESSES

- Assist the President, as appropriate, in fulfilling the responsibilities described within the President Position Description and Role Profile, whether in the broadest sense or specifically delegated by the President to the Vice President

- Act as an additional key point of contact with the CEO in the President's absence or incapacity, and perform the responsibilities of the President when the President is unavailable.

MEETINGS

Collaborate with the President to develop and implement processes and practices that support the deliberations of the Council in order that the Council may diligently fulfil its duties and conduct its work and affairs effectively and efficiently

COMMITTEES

Member of Executive Sub-Committee

RELATIONSHIP WITH THE PRESIDENT

- Establish a close relationship of trust with the President; providing support and advice.
- Meet regularly with the President to discuss respective roles and progress in furthering the work of the Council

EVALUATION AND FEEDBACK

Mentor new appointees to the Council, and provide oversight, coaching and advice with a view to ensuring quality, consistency and accountability

OTHER

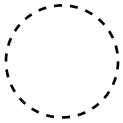
Lead special projects and initiatives as assigned by the President or the Council, such as policy development or implementation

ATTRIBUTES/EXPERIENCE/SKILLS

BASIC ATTRIBUTES

In addition to the attributes required as a Councillor and those set out in Section A (Overview) of this Position Description and Role Profile, the Vice President should:

- Commit to the protection of the public interest within the mandate of Engineers and Geoscientists BC
- Have a high level of credibility with fellow Councillors, the CEO, registrants at large and key stakeholders



- Have a desire and ability to commit to the Vice President role for 1 year.
- Have a desire and ability to be accessible to the President, Councillors, as required or necessary

EXPERIENCE

The Vice President should have:

- Former chair experience, and/or committee leadership, with proven experience successfully managing the work of the council/committee

SKILLS

The Vice President should:

- Have the ability to manage complex relationships effectively
- Be politically astute, with the ability to grasp relevant issues and understand relationships between interested parties

TIME COMMITMENT

The Vice President should expect to spend a minimum of 120 hours per year on Council work for mandatory activities, plus preparation time (approximately 50 hours per year). Council meetings and Council sub-committee meetings are held in the Lower Mainland and travel time to attend meetings should be considered. The Vice President is also encouraged to participate in other Council activities and may do so based on availability.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.4

DATE	August 19, 2022
REPORT TO	Council for Decision
FROM	Ollie Campbell, Acting Associate Director Corporate Governance & Strategy
SUBJECT	Annual General Meeting Agenda
LINKAGE TO STRATEGIC PLAN	We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest.

Purpose	For Council to review and approve the agenda of the 103rd Annual General Meeting of Engineers and Geoscientists BC.
Motion	That Council approves the agenda of the 103rd Annual General Meeting of Engineers and Geoscientists BC.

BACKGROUND

At the Council meeting of June 17, 2022 Council approved a number of changes to the Annual General Meeting (AGM) rules in order to facilitate a more efficient AGM process. One of these changes was that Council become responsible for approving the agenda for the AGM.

DISCUSSION

The proposed agenda for the 103rd Annual General Meeting of Engineers and Geoscientists BC is included at Appendix A. As with previous years, the agenda is largely set by precedent, and reflects a very similar structure and content to previous years. The agenda will be published no less than 14 days in advance of the meeting.

RECOMMENDATIONS

That Council approve the proposed agenda for the 103rd Annual General Meeting of Engineers and Geoscientists BC.

MOTION

That Council approves the agenda of the 103rd Annual General Meeting of Engineers and Geoscientists BC.

APPENDIX A – 103rd Annual General Meeting Agenda

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

103rd ANNUAL GENERAL MEETING AGENDA

Saturday, October 15, 2022 | 8:30 am–12:00 pm

1. Welcome and Introductions
2. Overview of Meeting Rules and Protocols
3. **Motion** to approve the Minutes of the 102nd Annual General Meeting (2021) of Engineers and Geoscientists BC
4. Greetings from Engineers Canada and Geoscientists Canada
5. Annual Report
   - 5.1. President's Report
   - 5.2. CEO's Report
   - 5.3. Audited Financial Statements
6. Office of the Superintendent of Professional Governance Report
7. AGM Motions
8. In Memoriam
9. Results of 2022 Council Election
10. Recognition of Outgoing Council
11. Induction of President and 2022/2023 Council
12. Closing Remarks and Announcements
13. Adjournment

ENGINEERS & GEOSCIENTISTS
BRITISH COLUMBIA

OPEN SESSION

ITEM 5.5

DATE	August 19, 2022
REPORT TO	Council for Decision
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy
SUBJECT	Representatives to External Boards
LINKAGE TO STRATEGIC PLAN	Our talent, tools, and work environment create an engaged organizational culture.

Purpose:	To review and approve the revised Policy on Council Meetings.
Motion:	That Council approve changes to the Policy on Council Meetings.

BACKGROUND

Engineers and Geoscientists BC has established a practice where some representatives to external boards are invited to attend meetings of Council and are referred to as our "extended council." This group includes our representatives to Engineers Canada and Geoscientists Canada boards and committees. These representatives are considered standing observers of Council and are invited to attend the Closed and Open Sessions of Council, and some Council Strategy Sessions (Forums).

In December 2021, the Governance Sub-committee agreed that under the context of the *PGA*, the practice of inviting representatives to external boards to attend meetings of Council should be revisited. This was also an opportunity to review how Engineers and Geoscientists BC was supporting the External Council in their roles as representatives to external boards.

Over January and February 2022, the CEO and CRO met with each of the extended Council members to understand their perspective, the value they receive from participation and any feedback on the continued practice.

DISCUSSION

Having received and considered feedback from our current representatives, Council considered this issue at the Council Forum in April 2022. As a result, Council endorsed a number of recommendations that included Engineers and Geoscientists BC recognize this group as our “Representatives to External Boards”, that it was no longer appropriate for Representatives to attend Closed sessions of Council, and that attendance at open sessions should be optional. In addition, the YVR representative has been added to the list of standing observers. The Policy on Council Meetings has been updated to reflect that change.

Council also stressed the requirement that Representatives should continue to be supported by the organization, and that the responsibility for maintaining this relationship was part of the CEO’s remit. To that end, staff have drafted an operational-level document outlining how the relationship with Representatives is to be strengthened and maintained, and how Representatives are to be supported in the execution of their roles.

The Governance Subcommittee reviewed the amended policy in August 2022 and recommended that the amended policy be bought forward for Council’s review and approval. The Governance Subcommittee also noted that Staff might wish to consider the process for identifying ‘standing observers’ to Council.

RECOMMENDATIONS

That Council approve the updated Policy on Council Meetings

MOTIONS

That Council approve the changes to the Policy on Council Meetings.

APPENDIX A – Revised Council Meeting Guidelines (CO-21-85)

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

POLICY

POLICY	Policy on Council Meetings
NUMBER OF POLICY	CO-21-85
DATE OF POLICY	June 25, 2021
APPROVED BY	Council

ENGINEERS &
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BRITISH COLUMBIA

Policy on Council Meetings

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Engineers and Geoscientists BC Policy on Council Meetings

Introduction

Council meetings serve as the primary forum for Council discussions and decision-making, where Council convenes to conduct business and focus on fulfilling the mandate of Engineers and Geoscientists BC, as set out in the *Professional Governance Act* (the Act).

The Council seek to foster meetings that are effective and inclusive, where Councillors are supported to meaningfully engage in their work and make well informed decisions. This policy sets out rules, practices and guidelines for how Council meetings are structured and planned and how decisions are made. It also provides guidance on practices to support effective and inclusive meetings, to support the Council in fulfilling the mandate of Engineers and Geoscientists BC.

This policy supplements and should be read in conjunction with the Bylaws of Engineers and Geoscientists BC (Bylaws) and other Council Governance policies.[1]

The policy reflects leading practices in governance with particular consideration for regulatory governance.

The policy does not apply to committee meetings, or to general meetings such as the annual general meeting. Separate policies and procedural rules govern those types of meetings.

Council Meetings

Annual Schedule of Council Meetings

Over the course of a year, the Council normally holds a series of regularly scheduled meetings and may hold special meetings and other sessions, such as Council forums and education sessions.

Typically, six regular Council meetings are scheduled in a year – an inaugural meeting and five full day meetings. The meetings are scheduled one year in advance, and the schedule (including the date, time and location, as applicable) is provided to Councillors and published on the Engineers and Geoscientists BC website.[2]

Types of Meetings

Council meetings are normally comprised of:[3]

An open session
A closed session
An *in camera* session

The meeting agenda will indicate the type of meeting or session and, depending on the nature of the discussion, items can be moved between open and closed agendas.

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[1] Council Governance policies include, for example, CG-3 Council Terms of Reference; CG-4 Position Description and Role Profiles; CG-6 Code of Conduct for Council Members.
[2] See: https://www.egbc.ca/About/About-Us/Council/Council-Schedule-and-Agendas
[3] Bylaws sections 2.4(4) and (5)

Open Sessions

Staff and registrants of Engineers and Geoscientists BC, and members of the public are welcome to attend open sessions as observers. Engineers and Geoscientists BC's representatives to the Engineers Canada Board, ~~and~~ the Geoscientists Canada B~~b~~oard~~s~~, and the Vancouver Airport Authority Board of Directors ~~the Pacific NorthWest Economic Region~~ are considered standing observers. The list of standing observers may be modified from time to time by Council. Open session meeting dates and materials are posted on the Engineers and Geoscientists BC website.

Interested individuals are required to register in advance, although space may be limited. Requests to attend open sessions should be directed to the Executive Assistant to Council and to the CEO at least three business days prior to the meeting.

Participation, Requests to Present, and Decorum in Open Sessions

Individuals may request to present at an upcoming Council meeting. All requests are required to be submitted at least six weeks prior to the Council meeting date and will be considered by the Executive Sub-committee for approval, prior to going before the Council.[4] Requests to present should be relevant to registrants, the public, and to the mandate of Engineers and Geoscientists BC and consideration is given to the currency of requests as they relate to matters before the Council.

Standing observers may be permitted to speak at the discretion of the President/Chair, on matters pertaining to their respective role as a representative to an external board.

All persons attending the open session of a Council meeting are expected to behave in a respectful and civil manner. The President/Chair may remove any person in attendance for improper conduct.

Minutes of open sessions are published on the website after they have been approved by Council.

Council meeting summaries are also available in *Innovation* magazine under the Council Report section following each Council meeting for the information of registrants.

Closed Sessions

Closed sessions of Council meetings are attended by Councillors, the CEO, and management, ~~and Engineers and Geoscientists BC's representatives to Engineers Canada and Geoscientists Canada boards and the Pacific NorthWest Economic Region~~ but are closed to registrants and the public. Minutes are recorded for these meetings but are not published.

Policy CO-21-27 – Transparency of Council Meetings provides guidelines for matters that are typically considered in closed sessions.[5]

[4] Interested individuals must submit a formal request to present at Council meeting: https://www.egbc.ca/getmedia/18a494b2-7afa-4496-a4aa-42a03f3beff6/Request-to-Present-at-Council-updated-2021.pdf.aspx

[5] Policy CO-21-27 – Transparency of Council Meetings: https://www.egbc.ca/getmedia/8eebb274-057c-4121-9014-93176236a09f/CO-21-27-Policy-Transparency-of-EGBC-Council-Meetings.pdf.aspx

In camera Sessions

In addition to open and closed sessions, the Council may hold *in camera* sessions. *In camera* sessions are a subset of a closed session. The Council has established a policy to provide additional guidelines for *in camera* sessions, Policy CO-15-51.[6]

In camera sessions are attended by Councillors only, except that the CEO attends the initial portion of the meeting to participate in discussions pertaining to staff and/or to follow up on requests for information from Councillors. *In camera* sessions may be attended by staff or others, such as advisors, when specifically invited by the President/Chair.

Without limiting the full scope of matters that are typically considered *in camera*, a primary purpose of *in camera* sessions is for Council reflection. For example, the Council may wish to use this time to evaluate its own effectiveness or the effectiveness of meetings, to foster Council culture by having an open discussion about behaviours, examine its relationship with management, or reinforce good practices and to carry out a self-assessment of the Council's effectiveness.

Business is not generally conducted during *in camera* sessions and minutes are not taken of the *in camera* portion of meetings. However, follow up requests are noted by the President/Chair and subsequently conveyed to the CEO.

Confidentiality of Closed and *In camera* Sessions

Deliberations and materials considered in closed and *in camera* sessions are confidential. All participants and attendees must respect this confidentiality.

2.7 Strategy Sessions

Strategy sessions, also known as Council Forums, are Closed Sessions typically held the day before a Council meeting. These sessions provide an opportunity for the Council to have more focused discussions on strategic or future-facing issues that may affect or guide the organization's business. Attendance is routinely limited to Council and management, as well as external facilitators where required. Any decisions coming out of a strategy session must be brought forward to the subsequent meeting of Council. No formal minutes are kept for these types of meetings.

Education Sessions

The purpose of an education session is to ensure that Councillors have the knowledge, information, and tools to be most effective in their roles. No minutes are recorded for this type of meeting, but educational support materials are kept for future reference.

Meeting Logistics

How and where a meeting takes place are important considerations. Technology provides greater flexibility than ever, so multiple channels can be made available to Councillors wherever possible to help manage time, availability, cost, and quorum.

Council meetings may be held in person or by electronic means.

[6] Policy CO-15-51 – Guidelines for Council In Camera Sessions after the Regular Closed and Open Council Meeting: https://www.egbc.ca/getmedia/7df9a81c-42f6-4ee4-b9c2-222858cb0940/CO-15-51-CG-8-Guidelines-for-Council-In-Camera-Sessions-after-the-Regular-Closed-and-Open-Council-Meeting.pdf.aspx

In person Meetings

In person meetings have been a preferred type of meeting, predominantly because Council meetings involve significant discussion, planning, problem solving and decision-making. In person meetings help to foster shared understanding, collegiality and trust.

Meetings by Electronic Means

Council meetings may be held by electronic means which includes teleconferencing and/or videoconferencing. This form of meeting has become the norm for Council during the Covid-19 pandemic.

Annual Workplan/Calendar, Agendas and Meeting Materials

Annual Calendar/Workplan and Agendas

An annual calendar/work plan is drawn up at the beginning of the Council year, setting out the various decisions the Council must make at its meetings throughout the year (for example, approval of the budget or financial statements).

Agendas are prepared by staff and reviewed by the President/Chair, based upon the annual work plan for the Council and emerging issues.

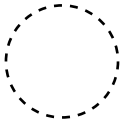
A videoconference is typically held the week of a Council meeting and usually on a Wednesday. The purpose of this session is to provide an opportunity for Councillors to receive clarification on any material or content on the agenda for the upcoming Council meeting. By allowing Councillors to raise questions for clarification ahead of a meeting, this practice helps to ensure that Council meeting time can be focused on discussion and decisions. Councillors are strongly encouraged to attend this pre-meeting session.

Any Councillor may propose an agenda item for consideration in advance of the meeting by completing the Agenda Item Request Form. The Executive Sub-Committee considers requests and may decide to either add the item to the agenda or to address the item in another way, in which case the President will typically follow up with the Councillor to discuss options. Councillors are strongly encouraged to propose agenda items in advance using the established process, in order to ensure that items are supported with appropriate background information and that informed discussion can occur. In special cases where an emerging issue may warrant a new agenda item to be considered at the meeting, the President/Chair, in consultation with Council and management, will determine whether the item will be added.

Agendas follow a standard format, which includes the use of a consent agenda (see also below). The agenda will typically list each matter that will be brought forward to the Council, the time estimated for each discussion, whether the Council is receiving the item for information, discussion, or decision, and the material that will be provided to the Council to support its consideration of a matter. The President/Chair, at their discretion, may modify the agenda order if needed to accommodate certain circumstances such as a guest or speaker being late or if a member of Council must leave early.

At the commencement of each meeting, there is a formal acknowledgment of the unceded First Nations territory on which the meeting is taking place.

When developing agendas, staff and the President/Chair need to be confident that:



- The Council is spending the most amount of time on the most important issues
- The Council will have the information and time to have an appropriate discussion for each agenda item
- The agenda is not too ambitious for the time allocated
- The right people will be in the room for each discussion
- Staff are making the best use of the time they have with the Council when face-to-face
- Staff are sure the topics under discussion during a closed or *in camera* meeting are appropriately flagged as confidential
- Staff ensure the design of the meeting aligns with Councillors' level of engagement and capacity (e.g., deep discussion is not happening at a time when the Councillors might be tired or distracted)

Note that from time to time there may be items brought forward in an open or closed session where, due to the nature of the matter, the President/Chair may request that certain participants (for example staff or standing observers) be excused for that portion of the meeting.

Consent Agenda

A consent agenda is used to address multiple decision requests as a single agenda item so the Council can manage its meeting time. Items that are routine or non-controversial in nature will appear on a consent agenda, or an item that requires perfunctory approval because the Council has already reached a decision in previous discussions. The consent agenda may also include reports that are for the information of Council (see also discussion above – some items/reports may be presented for information only).

Councillors are expected to have carefully reviewed the items on a consent agenda prior to the meeting. The President/Chair will ask at the outset of the meeting if any items from the consent agenda need to be moved to the regular agenda for further discussion. If a Councillor has a question for clarification, Councillors are encouraged to raise that in advance of the meeting, for example with the author of the report. However, if a Councillor feels the items warrants discussion or will vote against it, then they may request for the item to be removed from the consent agenda.

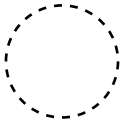
If an item is moved but other matters remain on the consent agenda, the President/Chair will ask for a motion for the consent agenda to be approved as amended. The President/Chair will subsequently ask for a motion for the regular agenda to be approved as amended (as it will include the new matter for discussion). If no items are moved from the consent agenda, the President/Chair will ask for a motion for the consent agenda as a whole to be approved. Whenever the consent agenda is approved, each item appearing on it will have its resolution recorded separately in the minutes.

Meeting Package

Briefing notes, with supplemental documents, form the basis of the meeting package. Along with the agenda, the meeting package provides Councillors with the information they need to understand the goal of each discussion, as well as background information, context, and analysis. Management will also be present during the meeting or on call to address any questions that arise.

The agenda and meeting package are posted on the secure document management system at least seven days prior to the meeting, or as soon as practicable. The agenda and meeting packages for open meetings are posted on the website for any registrants and members of the public that wish to attend.

Any changes made to the agenda or meeting package will be communicated to Councillors either by email in advance of the meeting, or in person by the President/Chair at the beginning of the meeting.



Upon notification that the meeting package has been posted, and prior to the actual meeting, Councillors should:

- Check they can access the meeting package
- Review the agenda and notify the President/Chair if a conflict of interest is identified (the President/Chair will also ask Councillors to declare potential conflicts at the outset of each meeting)
- Come prepared, having read the material carefully in order to allow greater time for discussion at the meeting itself
- Submit significant concerns or questions to the President/Chair ahead of the meeting so that a response can be formulated in time for the meeting

Meeting Expectations

Meetings are the time that Council comes together for formal deliberations and decision-making. Effective meetings are underpinned by a shared commitment to positive and constructive dynamics, respect for all perspectives, openness, active engagement and a willingness to engage in robust dialogue.

Meeting Expectations

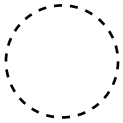
Key expectations of Councillors in relation to Council activity and Council meetings include that each Councillor:[7]

- Be prepared and well-informed on relevant issues (through pre-read materials or otherwise)
- Contribute their own experience, wisdom, judgment on issues
- Interact with fellow Councillors and management in a respectful and constructive manner
- Express independent opinions in a clear and respectful manner
- Express points of view for the Council's consideration even if they may seem contrary to other opinions previously expressed
- Listen to, and exercise tolerance for, others' perspectives
- Understand the difference between governing and managing, focusing inquiries on issues related to strategy, policy, implementation, and results rather than issues relating to the day-to-day management
- Devote the necessary time and attention to be able to make informed decisions on issues that come before the Council

In addition, and in the spirit of supporting meeting effectiveness, Councillors are advised to:

- Notify staff in advance if they are unable to attend a meeting or, if the meeting is being held in-person, plan to attend remotely
- Inform the Executive Assistant to Council in advance if they plan to join the meeting late or leave early
- Test equipment ahead of time to make sure internet access is available and working and, if possible, to have a contingency in place in the event of system glitches
- Arrive on time, with materials and notes ready to participate in the meeting

[7] See Council Governance Policy CG-4, Position Descriptions and Role Profiles for President, Vice President and Councillors: https://www.egbc.ca/getmedia/4a0dcf3f-b003-4cd5-9057-05d7647dcb5c/CO-20-67-CG-4-Position-Descriptions-and-Role-Profiles.pdf.aspx.



Turn off any notifications and put away any devices not in use or explain at the outset to the group that an interruption might occur during the meeting

When attending by electronic means (video- or teleconference), Councillors are further advised to:

Consider how they might appear on camera, for example, avoiding stripes or bold patterns which can be visually distracting, adjusting lighting to minimize shadows, and reducing background noise

Have the dial-in number, access codes, or log-in details ready and join the meeting at least 10 minutes early to resolve technical issues

Give full attention to the meeting as they would if in the same room

Identify themselves if they wish to be placed on the speaker's list

Wait to be acknowledged by the President/Chair before speaking

Speak clearly and address Councillors by name if asking clarifying questions

Ask for clarity if any part of the discussion is unclear

Be patient if there is a slight delay in transmission

Mute the line when not speaking and not place the call on hold to avoid silence fillers (i.e., news or music) being broadcast to the room

When the meeting concludes, Councillors must remember to end the call or connection and ensure that any copies of meeting material that may have been printed by a Councillor is disposed of securely and in accordance with records management practices, as applicable.

If there have been any logistical problems with the meeting, Councillors should provide feedback to staff as soon as possible so these can be addressed.

Procedure at Council Meetings and Decision-Making

President/Chair

The President presides at Council meetings and in the event that the President is unable to attend a specific meeting, the Vice President will act as chair for that meeting. If neither the President nor Vice President are present, the Council will choose one of the Councillors to act as chair for that meeting.

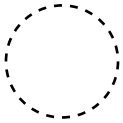
The President/Chair is responsible for the meeting, including to make sure that it runs on time. The Vice-President supports the President in this role, including managing the speaker's list.

The President/Chair and Vice-President actively participate in Council meetings. They facilitate discussion by supporting Councillors to express views, ensuring those who wish to share their perspective have an opportunity to be heard, by asking for alternative or contrasting perspectives, and asking questions to help ensure there are no gaps in understanding that may need to be addressed.

Quorum

A majority of voting Councillors constitutes quorum for Council meetings and, subject to the requirement that at least one lay Councillor must be present (unless there is no lay Councillor appointed).[8]

[8] PGA section 29(1).



Staff/Committee Recommendations

Depending on the nature of the decision, staff or committees may include a recommendation in the briefing note. Sometimes a draft resolution will also be provided to support the Council's deliberations. However, at times, staff may lay out the various options without a recommendation or draft resolution if they feel this is more appropriately left to the Council.

Briefing notes will typically provide a sufficient level of background to support decision-making, including references to previous discussions, analysis of strategic priorities, consideration of external factors, consultation with stakeholders, and previous Council discussions. Where a review of the issues may have already been completed by committees, sub-committees or advisory groups, the Council will get a summary of the process the group engaged in and a recommendation.

Types of Decisions

Councillors can expect to see four types of decision in their work, each triggering a different decision-making process intended to support strong outcomes and meet the public interest mandate. These types of decision are:

Standard Decisions

- Where information is static, the context is well understood, less background information is required, and minimal discussion is necessary

New Decisions

- Where an issue has never been addressed, more information may be necessary, and greater discussion and context is required in order for the Council to understand why it is being asked to make a decision at all

Significant Decisions

- Where issues involve major transactions or commitment to a long-term plan or an action with far-reaching effects that may require longer timeframes for deliberation

Crisis Decisions

- Where an emergency or significant issue arises, which has a very short timeframe in which to act or respond, and often requires concise information to support efficient decision-making

Decision-Making Process

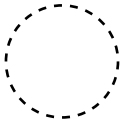
The standard process for moving through discussion to decision includes the following:

Each item on the agenda will be introduced by an identified member of staff, a chair of a Council sub-committee, statutory committee or advisory group, or anyone else invited by the President/Chair to introduce the topic

The President/Chair will open the floor for any questions and discussion arising from the briefing note and background materials

The President/Chair will ensure that every Councillor has had an opportunity to share their perspective; generally every Councillor will have the opportunity to speak once before speaking a second time and Councillors are expected to limit comments/questions to about 3 minutes

For the sake of efficiency and effectiveness, the President/Chair will ensure that discussion is confined to issues that fall within the Council's authority and are relevant to the issue being discussed



Throughout the discussion, the President/Chair will highlight important points, clarify misunderstandings, and keep the discussion focused on the matters at hand

When Councillors believe they have received the information necessary to consider the issue fully and are ready to move to a decision on the matter, the President/Chair will request a motion for resolution on which the Council will vote (see also below)

Voting

The Council strives to ensure that meetings are inclusive and that Councillors are meaningfully engaged in decision making. Prior to taking a vote, the Council seeks to ensure Councillors have had an opportunity to share their perspective, that there has been robust dialogue and an opportunity to work towards consensus. After due deliberation, all decisions and motions are decided by simple majority of votes cast by Councillors present and entitled to vote. When the meeting technology permits, the votes of individual Councillors may be made visible at the meeting but only the decision of Council will be recorded.

Key Considerations

For a regulatory council, a key consideration for any decision will be whether the outcome serves and protects the public. Councillors should keep the mandate and objects of Engineers and Geoscientists BC foremost in mind, and may wish to ask themselves the following questions:

Why are we having this discussion/making this decision?

- Is it in our mandate?
- Is it tied to our strategic priorities?

Do we trust the decision-making process in light of the importance of the decision (risk implications, strategic importance, budget implications, and impact on stakeholders)? If not, what needs to change?

Are the right people with the right experience and knowledge in the room to support a good decision?

Have we understood all the necessary facts and information?

Is there additional information we need to make a good decision?

Are the assumptions made reasonable?

Is there more than one possible course of action?

Do we have agreement on the outcome?

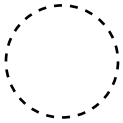
Would it be better to defer making a decision now, until we have further information or additional time to continue the discussion?

When possible, staff will bring items to the Council incrementally, with information, education sessions and smaller decisions leading up to the final request for a decision. This ensures the Council is fully informed and comfortable with the subject matter before a decision is required. Therefore, when the Council decides to defer a decision, it is best practice to think about what the unintended consequences of that deferment might be.

Resolutions

A resolution is a written statement of an action approved by the Council. It usually deals only with single or directly related issues.

Once a decision has been reached, the President/Chair will call for a motion for resolution. If a draft resolution has been set out in the briefing note, the President/Chair or member of staff will read it to



the Council, making any adjustments, as necessary. Following any further discussion, the President/Chair will ask the Council to indicate, either by electronic means, a show of hands, or verbal acknowledgment for Councillors attending remotely, acceptance of the resolution. For the sake of clarity, the President/Chair will then restate the decision that has been approved, so it can be captured correctly for the minutes.

Resolutions proposed at a Council meeting do not need to be seconded.

However, any resolution proposed by a Councillor that (i) has not been considered by staff, (ii) is not supported with a briefing note, and (iii) is not placed on the written agenda, must be supported by a seconder. Under such circumstances, the President/ Chair will determine how best to deal with the proposed resolution, by:

- Allocating time at the meeting for the discussion
- Deferring the discussion to a future meeting and directing staff to prepare a briefing note with respect to the issue
- Deferring the discussion to a committee, with a recommendation for decision to come to the Council as appropriate

Consent Resolutions

The Council may pass consent resolutions outside of a formal meeting. A consent resolution is a resolution in writing (on paper, electronically or via email) consented to by all Councillors entitled to vote on that resolution – which is as effective as if it had been passed at a Council meeting. If a Councillor wishes to discuss a proposed consent resolution, they should inform the President/Chair. The results of consent resolutions will be communicated to Council and included in the subsequent meeting for information.

Recording Decisions and Minutes

Minutes of the proceedings of Council and of decisions made outside of a meeting serve as the official record of the Council meeting and of decisions made.

All minutes set out the date, time and location of the Council meeting, the attendance of participants, and a record of the formal actions, recommendations, and resolutions of the Council taken. Individual votes are not recorded unless a Councillor specifically requests to have their dissent recorded. Abstentions are recorded. Opinions or views expressed by participants at Council meetings are not recorded in the minutes.

The draft minutes are added to the next meeting agenda for review and approval by the Council. The minutes do not need to be signed once approved. Minutes of open sessions are published; minutes of closed are not published and are distributed only to those authorized to attend such sessions.

A log of all resolutions is kept by staff and is a resource to the Council if required.

Amendments and Review

These rules, practices and guidelines have been adopted by the Council[9] and will be reviewed regularly by the Governance Sub-Committee to ensure they are kept current and remain relevant to the work of the Council.

The rules, practices and guidelines may be amended by the Council.

REVIEW DATES

June 25, 2021 (CO-21-85) – Approved by Council

[9] Bylaw section 2.4(2) provides that the Council may adopt or establish policies, procedures or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of conducting a meeting of the Council.

ENGINEERS & GEOSCIENTISTS
BRITISH COLUMBIA

OPEN SESSION
ITEM 5.6

DATE	August 16, 2022
REPORT TO	Council for Decision
FROM	Executive Sub-Committee Deesh Olychick, Acting Chief Operating Officer Jennifer Cho, Chief Financial & Administration Officer
SUBJECT	Policy Update – Role of the CEO
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To review the recommended changes to the Policy - Role of the CEO
Motion	That Council approve the updated Role of Chief Executive Officer policy as presented.

BACKGROUND

At the April Council meeting, Council directed staff to develop a new bylaw delegating, as far as possible, the ability to appoint and terminate the Registrar from Council to the CEO and develop associated policies to ensure clear boundaries of decision-making authority.

The legal review conducted at the time confirmed Council's ability to delegate to the CEO the authority to terminate the Registrar. A subsequent legal review was conducted to determine whether Council could also delegate to the CEO the authority to appoint the Registrar. As the PGA stipules that Council "must" appoint a Registrar, the bylaw coming forward to Council at the September meeting will only authorize the Executive Director (CEO) to terminate the appointment of the Registrar (not to appoint the Registrar as per the PGA).

The Executive Sub-Committee met on August, 16, 2022 to discuss this policy and recommend that Council approve the policy as presented.

DISCUSSION

While Council was supportive of delegating to the CEO the authority to terminate the Registrar, Council requested that policy be updated to outline Council's expectation that the CEO keeps Council abreast of any performance issues. In addition, policies should also ensure clear boundaries of decision-making.

The Policy CG-7 – Role of Chief Executive Officer has been updated as follows:

- Clarifying that the CEO has overall accountability
- Adding the CEO's role in ensuring oversight of the Registrar and providing Council with a report confirming the performance of the Registrar annually or more frequently, as needed
- Reinforcing the CEO's overall accountability for managing all members of staff

Refer to Attachment A – Policy CG-7 – The Role of Chief Executive Officer, for the updated policy with track changes.

RECOMMENDATION

It is recommended that Council approve the updated Role of Chief Executive Officer policy as presented.

MOTION

That Council approve the Role of Chief Executive Officer policy as presented.

ATTACHMENT A - Policy CG-7 – The Role of Chief Executive Officer (with tracked changes)

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

POLICY

POLICY	The Role of Chief Executive Officer, CG-7
NUMBER OF POLICY	CO-21-64
DATE OF POLICY	April 23, 2021
APPROVED BY	Council

1.0 Areas of Authority

1.1. The Chief Executive Officer ("CEO"), (also referred to as the Executive Director) under the authority of Council, serves as the single official link to the operating organization.

1.2. Under the authority of Council~~,~~ the CEO assumes ~~complete~~ responsibility and overall accountability for the implementation and administration of the Professional Governance Act as it relates to Engineers and Geoscientists BC and implementation of the Strategic ~~Service~~ Plan and the Council work plan.

1.3. The CEO d~~D~~irects the implementation of Engineers and Geoscientists BC's programs and services, directs the affairs of Engineers and Geoscientists BC so that budget and sustainable financial management plans are adhered to, and is responsible for the management of all staff members and volunteers.

2.0 Summary of Functions & Responsibilities

2.1. The CEO's responsibilities include:

Relationship Building

2.1.1 Builds/maintains key government relationships and ensures that an active government relations strategy, approved by Council, is in place at the technical, executive, and political level; provides active engagement of the registrants ~~-~~in formulating guidance, policy and regulatory advice in areas related to public safety, health, and environment with respect to the practice of the professions; builds strong working relationships with all levels of government and enlists support for accomplishing tasks.

2.1.2 Ensure Engineers and Geoscientists BC's ~~the Association's~~ vision, goals and duties are current, publically available and easily understood; develops community awareness of the organization's mission, accomplishments and objectives; participates in networking and community relations activities on behalf of the organization, and seeks opportunities to advance public confidence in and appreciation of the professions. Acts as the primary public representative of the organization including as the official media spokesperson.

2.1.3 Builds/maintains relationships and networks amongst key stakeholders to foster/influence good working relationships and environments for advancing Engineers and Geoscientists BC's business. Examples include Engineers Canada, Geoscientists Canada, Association of Consulting Engineering Companies BC (ACEC-BC), Applied Science Technologists and Technicians of BC (ASTTBC), Association of BC Forest Professionals (ABCFP), Architectural Institute of BC (AIBC), BC Institute of Agrologists (BCIA), The College of Applied Biology (CAB-BC) and others.

Regulatory Oversight

2.1.4 Facilitates the research, planning, development, implementation, and evaluation of initiatives aimed at enhancing the effectiveness of public interest protection; ensures programs and services meet the policy guidance of Council and all legal and fiduciary responsibilities; recommends specific goals, objectives, and outcomes for Council consideration; identifies the required resources to achieve goals.

2.1.5 ~~E~~Ensures that ~~the Registrar carries out the~~ the duties of the role of Registrar are carried out as set out in the Professional Governance ~~-~~Act and the Engineers and Geoscientists BC ~~-~~bylaws and provides Council with a report confirming the performance of the Registrar annually or more frequently, as needed; ensures that all~~-~~ development, implementation and execution of policies and procedures necessary to carry out the Registrar's statutory duties are conducted.

2.1.6 Carries out any duties of the Chief Executive Officer (also referred to as the Executive Director) as set out in the Professional Governance Act and the Engineers and Geoscientists BC bylaws.

Strategy & Development

2.1.7 Conducts internal and external environmental scans to identify emerging and strategic issues that may affect Engineers and Geoscientists BC operations, sustainability, or its relationships with key stakeholders.

~~2.1.8~~ Ensures both risks and opportunities are evaluated in the development of strategies for Council consideration; assesses potential threats to the public confidence in Engineers and Geoscientists BC, risks to the long-term financial viability of the organization, and the ability to deliver on core programming; maintains the necessary support system to provide crises management capacity for the organization.

Administration, Operations, Talent Management

2.1.9 Builds an engaged workforce and positive and inspiring workplace environment. Provides inspirational leadership and ensures an effective, motivated, and creative management and support team. Has overall accountability for managing all members of staff with accountability for hiring, training, and coaching; conductings all aspects of performance management including any required disciplinary action as well as making recommendations for training and development.

2.1.10 Organizes and attends all Council, Executive Sub-Committees, and Governance Sub-Committee meetings to conduct the business of the associationorganization; acts as an advisor to Council and Council's Sub-Committees; provides regular reports to Council on behalf of the Leadership Team on organizational activities relevant to the policy agenda of Council.

2.1.11 Interprets Council decisions and policies to staff; supports an environment and culture that enables all to grow and prosper in the workplace; directs and maintains a strong, cohesive Leadership Team; provides coaching, mentoring, and leadership and maintains an active succession plan for leaders.

Financial Management

2.1.12 Implements Council's policy on sustainable financial management and ensures the financial sustainability of Engineers and Geoscientists BC; maintains sound accounting procedures that facilitate regular audits and transaction tracking; ensures all financial reporting requirements are met; provides Council with regular statements of revenues, expenditures, and its financial position; administers the funds of the organization according to the approved budget; facilitates the work of the Audit Sub-Committee.

REVIEW DATES

April 23, 2021 (CO-21-64) – Approved by Council

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.1

DATE	August 18, 2022
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	CEO Report to Council

Purpose	This report highlights some of the activities of the Organization related to policy work, implementation of the Strategic Plan and ongoing Regulatory duties since the June 17, 2022 meeting of Council.
Motion	No motion required. For information only.

1. STRATEGIC PLAN IMPLEMENTATION

Implementation of the Strategic Plan is well underway with the organization. An all-day Leadership Team session occurred on June 22, 2022, facilitated by Ali Grovue. This meeting was a success, focused on aligning the leadership team to the strategy, and a virtual session on Transformational Leadership from Julian Barling, Distinguished University Professor and Borden Chair of Leadership in the Smith School of Business at Queen's University. It was also the first time that the leadership team was all together in person since COVID. The energy in the room was amazing! Take aways included working with their respective departments to develop a department mission and vision statement to tie departments and its people closer to the organization's Vision and Mission. In addition, we continue to evaluate what work we must do, should do, nice to do to help balance the organization's work load.

As part of the Strategic Plan implementation, all staff participated in a Values exercise, taking into account our renewed values and how we can bring them to life in the organization. As a result of this, a working group has been formed that has representation from all departments to put our Values into action. I will be championing this working group.

Progress has also been made on the development of the Strategic Plan's KPIs that will answer the 8 key questions Council aligned to in April's Council meeting. Further detail on KPI development is in the Closed Council package, Item 2.3.2.

2. VIRTUAL CONFERENCE UPDATE

Engineers and Geoscientists BC's 2022 Annual Conference is returning virtually on October 12-13, 2022. The virtual conference will host two days of continuing education sessions, keynote speakers, networking opportunities, activities and gamification and a virtual tradeshow.

The conference will allow registrants the ability to accrue upwards of 40 continuing education hours, receive exclusive access to on-demand recordings following the live event, connect with peers and colleagues in virtual social spaces and see what vendors have to offer in the virtual tradeshow.

We are pleased to welcome Anna Maria Tremonti and Jordin Tootoo as keynote speakers this year. Anna Maria Tremonti, Journalist, well known CBC Radio host, will share her perspectives on how to find good quality information and trusted resources, the ways human interaction can be used to positively affect the future and how to empower others to live differently and connect their own dots. Jordin Tootoo, the first Inuk player to be drafted by the NHL and Founder of the Team Tootoo Foundation, will speak to the need of teamwork at work and in our social communities. He offers a timely discussion of grit and resilience, goal setting, overcoming adversity.

Councillors were sent an invitation to register for the conference with a special code to access the conference program. Access information will be provided closer to the date for those registered.

So far, we have a total of 239 people registered, and we anticipate this number increasing as we get closer to the date and publicize more aggressively through social media, e-News, etc. For more information on the conference program, please visit: www.egbc.ca/conference.

3. UPDATE ON NEW MANDATORY REGULATORY MODULE

The Continuing Education Program requires practicing registrants to view a Regulatory Learning Module each reporting year. This year's module for 2022/2023 is about Truth and Reconciliation with Indigenous peoples and what it means for engineering and geoscience professionals working in BC.

The module includes an introduction to basic concepts of Truth and Reconciliation, the Calls to Action, intersections with equity, diversity, and inclusion, and the role of the professions. The course aims to provide foundational awareness and learning of truth and reconciliation for engineers and geoscientists in BC. The module is intended to be interactive and provide an engaging learning experience by including videos, interviews, activities, case studies, scenarios and additional optional resources as well as opportunities for self-reflection. It is intended to help engineers and geoscientists understand the perspectives of Indigenous peoples and nations, and to work together towards a shared goal of public and environmental protection.

This course was created by Engineers and Geoscientists BC and an external consultant specialized in the development of online educational content for professionals, with generous contributions by and close collaboration with a team of Indigenous and non-Indigenous subject matter experts involved in the content development and review processes. The course was reviewed by volunteer groups from both Engineers and Geoscientists BC and Engineers Canada.

The module is free and can be accessed by anyone. It will take approximately 1.5 hours to complete and is self-paced and will be hosted on the Knowledge Centre. A communications plan has been developed for the launch in late September in alignment with acknowledging National Truth and Reconciliation Day.

4. NATIONAL TRUTH AND RECONCILLIATION DAY

September 30, 2022 will mark the second annual National Day for Truth and Reconciliation. This formal recognition, will commemorate the ongoing tragedy of the residential school system and provide an opportunity to both remind and educate Canadians about the history of residential schools, honour the victims, and stand with the survivors.

In support of recognizing and broadening awareness of this part of Canada's history and as part of the organization's efforts for reconciliation with Indigenous Peoples, Engineers and Geoscientists BC will be launching the mandatory regulatory learning module which is focused on truth and reconciliation at the end of the month.

In addition to the mandatory regulatory module, there are also several other continuing education sessions that are available on the Knowledge Centre focused on supporting Indigenous reconciliation. These include Indigenous Peoples, Collaboration and Projects, 4 Seasons of Reconciliation – Indigenous Awareness Learning, Land Acknowledgements for Engineers and Geoscientists, Professional Practice Guidelines: Equity, Diversity and Inclusion and The Value of Indigenous Engagement on Engineering and Geoscience Projects.

In observance of this day, Engineers and Geoscientists BC's offices will be closed. Staff are encouraged to use this day to reflect on Truth and Reconciliation. To support staff in doing so, a lunch and learn for all staff is scheduled for September 29 where Shelly Joseph, daughter of Chief Robert Joseph will provide an introductory educational session on Reconciliation.

5. VOLUNTEER RECRUITMENT EVENT

There are many committees in need of new volunteers to be able to carry out their activities. As a result, planning is underway for a volunteer recruitment event set for November. We anticipate about 120 guests to hear about what opportunities exists in our committees, working groups and advisory groups. We are hopeful that our capture rate at this event is at least 30%, and that guests see the value they can bring in making a difference in the professions.

6. 2022 ENGINEERS AND GEOSCIENTISTS BC AWARDS LUNCHEON

Staff have been busy preparing for our 2022 awards luncheon. In addition to celebrating our Engineers and Geoscientists BC 2022 award winners, we will be honoring our 2021 and 2020 award winners at a luncheon as well. The event will take place on October 4, 2022, at the Pan Pacific Hotel in Vancouver. In addition to our award winners, Council and leadership staff will be in attendance to this intimate gathering. We hope that you can attend this special event! Invitations to Council went out on via email on August 16th, and we encourage you to RSVP if you have not yet done so.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.2

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Kelly Dayman, Associate Director, Regulation of Firms
SUBJECT	Regulation of Firms Update
LINKAGE TO STRATEGIC PLAN	Members and Organizations practice to high professional and ethical standards

Purpose	To update Council on the Regulation of Firms.
Motion	No motion required. For information only.

BACKGROUND

The *Professional Governance Act* enables Engineers and Geoscientists BC to regulate firms that engage in the practice of professional engineering or geoscience. Firms are required to register for a Permit to Practice with Engineers and Geoscientists BC effective July 2021.

The Three-Pillar Regulatory Model is based on three pillars: ethics, quality management, and continuing education. Registrant Firms are required to have Responsible Registrants attend training, and to have a Professional Practice Management Plan ("PPMP") documenting how they meet the Three Pillar-Regulatory Model within 12 months of the firm being granted a Permit to Practice.

Engineers and Geoscientists BC has developed tools and materials to provide guidance to firms on the new regulatory requirements, including specific tools and resources for sole practitioners.

The initial registration period was July 2, 2021, to October 1, 2021. Projections based on available information was 1,350 Permits to Practice issued by the end of fiscal year 2022 and a total of 2,500 within three years.

UPDATE

The actual registration rate has been much greater than anticipated with over 4,200 Permits to Practice having been issued to date with over 22,000 individual registrants listed on Registrant Firm rosters.

The firm size distribution by number of individual registrants is as follows:

Number of registrants in Firm	Percent of total
Sole practitioners	51.8%
2-10	37.5%
11-50	9.2%
51-99	0.8%
100+	0.7%

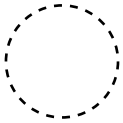
The average time to issue a Permit to Practice after the application is complete is under one week.

As part of the Regulation of Firms – Permit to Practice requirements, Registrant Firms must develop and maintain a Professional Practice Management Plan that contains, at minimum:

- a code of conduct that identifies how the Registrant Firm will ensure compliance with Engineers and Geoscientists BC's Code of Ethics;
- policies and procedures meeting the quality management requirements in the bylaws;
- policies and procedures to ensure compliance with the continuing education requirements;
- the organizational structure of the Registrant Firm;
- the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s);
- the Registrant Firm's area(s) of practice;
- the Responsible Registrant(s) designated to each area of practice at the Registrant Firm; and
- a policy regarding the use of the Registrant Firm's Permit to Practice number.

A Registrant Firm's PPMP must be in place no later than 12 months after the date that the Permit to Practice is issued. The Regulation of Firms – Permit to Practice training covers the PPMP requirements in detail (including the required three pillars) and provides guidance towards developing their PPMP. Engineers and Geoscientists BC's website has standardized templates available for use by registrants for multi-professional firms, engineering sole practitioners, and geoscience sole practitioners. Registrant Firms with existing polices and procedures that meet some or all of the PPMP requirements can simply reference the existing documents in their PPMP.

A Registrant Firm's PPMP will be reviewed by Engineers and Geoscientists BC auditors during the firm's audits.



A Permit to Practice Applicability Review process has been implemented to assist firms in determining if they require a Permit to Practice and to provide Engineers and Geoscientists BC with a record of the determination. To initiate an applicability review a standard form is downloaded from the website, completed, and submit it to Engineers and Geoscientists BC for review and determination.

Each case is individually reviewed by a working group comprised of staff from the PPSD and LEC departments. Straight forward determinations are made by the working group, and complex cases are taken to the Regulation of Firms Advisory Group for discussion and a recommendation. Staff are reviewing the Permit to Practice Applicability Review process given the number of submissions is not leveling off as anticipated. With the learnings from administering the process for over a year now, we are confident that efficiencies can be realized, and processing times reduced.

Mandatory compliance audits of Registrant Firms under the *Professional Governance Act* commence on October 1, 2022. The Regulation of Firms Audit Team has completed a small number of audits already on a voluntary basis and are actively scheduling additional audits as they ramp up to the October 1 launch date.

The annual renewal for Registrant Firms runs from April 1st to May 31st each year. Registrant Firms are required to update their information and pay their annual fee by May 31st. The first annual renewal had over 90% compliance rate. Registrant Firms failing to meet the renewal requirements by August 31st will have their Permit to Practice cancelled. As of August 22, 2022, 33 firms have not indicated that they wish to cancel their Permit to Practice nor have they completed their annual renewal. Staff will be reviewing the various deadline for both individuals and firms to identify where dates can be coordinated to improve the process for registrants and staff.

As of August 22, 2022, a total of 122 firms have canceled their Permit to Practice, this represents an attrition rate of 2.9%. The majority of cancelation requests have been sole practitioners moving into retirement timing their cancelation with annual renewal. Others are firms canceling their permit are firms being sold to another Registrant Firm and extra-provincial firms who have completed their work in BC. Regardless of the attrition rate the total number of active permits continues to increase at an average rate of 80 new permits per month (average taken over the last 60 days).

For fiscal year 2023 (July 1, 2022 – June 30, 2023) the Regulation of Firms team will continue working on the operationalizing the Permit to Practice Program with a focus on:

- Continued work with IS Department to further implement and refine support tools.
- Identification and drafting of operational policies/procedures.
- Implementation of, and the continuous improvement of, the Firms Compliance Audit Program.
- Continue development of the Firm Practice Review Program.
- Refine resource need projections.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.3

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Alice Kruchten, P.Eng., Practice Advisor, PPSD
SUBJECT	Division Activity Report (July 2021 – June 2022)
LINKAGE TO STRATEGIC PLAN	Stakeholder engagement and collaboration

Purpose	Provide a summary of division activities from July 2021 to June 2022.
Motion	No motion required, for information only.

BACKGROUND

The organization currently supports five divisions under its division program. Divisions are made up of registrants of Engineers and Geoscientists BC that represent a common or specialized area of the professions of engineering and geoscience. The purpose of each division is to provide a forum for professionals to identify, examine, discuss, or resolve specific challenges, emerging issues or opportunities as they relate to their common or specialist area.

The current divisions include:

- Energy Efficiency and Renewable Energy Division
- Engineers and Geoscientists in the Resource Sector Division
- Environmental Professionals Division
- Municipal Engineers Division
- Women in Engineering and Geoscience Division

All divisions report to Council. For professional practice related matters, the divisions report to Council through the Professional Practice Advisory Group.

A new reporting system was introduced in 2017 to ensure Council receives regular updates on the activities of all five divisions, typically twice per year. Listed below is a summary of division activities from July 2021 to June 2022

DIVISION SUMMARY

- Divisions provided feedback on two guidelines and one practice advisory.
- Divisions held 26 successful events related to their specific areas of interest, including webinars and annual general meetings.
- Divisions played a key role in developing topics and soliciting speakers for the four continuing education streams at the 2021 Annual Conference.

DIVISION CONSULTATION AND REVIEW CONTRIBUTIONS

Divisions have been engaged to review and provide feedback on the following consultation requests:

- Version 2 of the Professional Practice Guidelines – Legislated Landslide Assessments
- Version 1 of the Professional Practice Guidelines – Peer Review
- Version 1 of the Practice Advisory - Electrical Considerations for Decarbonizing Existing Part 3 Buildings

NOTABLE EVENTS AND INITIATIVES

The divisions hosted and participated in several notable events and initiatives between July 2021 and June 2022, outlined below:

Energy Efficiency and Renewable Energy Division:

- Organized two continuing education sessions for the Energy Efficiency and Renewable Energy stream at the 2021 Engineers and Geoscientists BC Annual Conference.
- Hosted their division Annual General Meeting virtually, including presentations about building-integrated photovoltaics by a representative from the CanMetEnergy Research Centre of Natural Resources Canada.
- Received 12 submissions for the new student scholarship funded entirely by the Division, teams were assessed during first phase and four teams have proceeded to the final assessment.
- Executive committee was engaged to provide feedback on the *Practice Advisory - Electrical Considerations for Decarbonizing Existing Part 3 Buildings*

Engineers and Geoscientists in the Resource Sector:

- Awarded $2,000 bursaries to two students for their essays “Post-wildfire Debris Flows: Literature Review" and “Constriction Pool Widening Sequences: An Externally Controlled Morphology or Emergent Property of Bedrock Rivers?" and $1,000 bursaries to two

students for their essays “Current Issues with the Forecasting of Operational Shutdowns Related to Geological Hazards in Forestry Activities on Vancouver Island, BC" and "Of Forests and Floods: An Investigation into a Scientific Paradigm Shift".

- Organized two continuing education sessions for the Engineers and Geoscientists in the Resource Sector stream at the 2021 Engineers and Geoscientists BC Annual Conference.
- Hosted their division Annual General Meeting virtually during the 2021 Engineers and Geoscientists BC Annual Conference.
- Provided feedback from the division executive on the revision to the *Professional Practice Guidelines – Legislated Landslide Assessments*.
- Provided a nomination for the *Forest Engineering Award of Excellence*; the division’s nominee was selected as the winner and the award was presented during the 2021 Annual Conference.
- Hosted three webinars on technical topics, including Soil Covers and Ecohydrology, Tunnelling, Groundwater/Surface Water Connectivity Measures

Environmental Professionals Division:

- Organized two continuing education sessions for the Environmental Engineering and Geoscience stream at the 2021 Engineers and Geoscientists BC Annual Conference.
- Participated in selecting the winning project for the *Innovation in Sustainability Award*
- Hosted their division Annual General Meeting virtually, including guest speakers from Source Environmental Associates Inc. on key issues in mine water discharge approvals and closure bonds.

Municipal Engineers Division:

- Organized two continuing educations sessions for the Municipal Engineering stream at the 2021 Engineers and Geoscientists BC Annual Conference.
- Co-hosted the joint Municipal Engineers Division/MMCD Annual General Meeting and workshops virtually.
- Hosted six webinars as part of their Division Knowledge-sharing Webinar Series on topics that included:
    - Transportation benchmarking;
    - Blasting near gas pipelines;
    - Digging safely near pipelines;
    - Trenchless construction;
    - Social procurement; and
    - Municipal climate targets.

Women in Engineering and Geoscience Division:

- Hosted the Women in Engineering and Geoscience Division Annual General Meeting virtually in September 2021.
- Hosted their annual Career Hacks Panel discussion featuring four professionals working in different areas of climate change including climate adaptation, climate policy, and sustainability.
- Engaged over 400 registrants through various virtual events including their Podcast and Book Discussions.
- In commemoration of the 31st anniversary of l'ecole Polytechnique de Montreal, the division donated $500 each to the YWCA foundation and the Downtown Eastside Women's Centre.
- Provided 3 division volunteers to adjudicate the Foundation's Tricia J Cook Memorial Fund.
- Continued distributing a monthly newsletter, keeping division members informed and engaged in division activities, networking, and learning opportunities.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.4

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Ailene Lim, Associate Director, Programs and Professional Development Tim Verigin, Manager, Programs
SUBJECT	Branch Engagement Report
LINKAGE TO STRATEGIC PLAN	Our talent, tools and work environment create an engaged organizational culture.

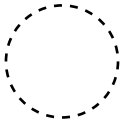
Purpose	To update Council on Branch Engagement Activities for the period of July 2021 to June 2022.
Motion	No motion required. For information only.

BACKGROUND

Branches play a fundamental role in increasing registrant engagement in several different ways. Below is a summary of the branch activities between July 2021 to June 2022. A majority of branch engagement activities continued to remain virtual during this period.

DISCUSSION

For this reporting period, the branches held 45 events that attracted approximately over 3,000 attendees. Out of the 45 branch events held, 34 events were continuing education events in the form of presentations and panel discussions and 11 events were Branch annual general meetings. In addition, 9 events were career awareness related in the form of bridge building competitions to promote and increase awareness of the professions. These events were featured in the May 5, 2022, eNews article.



Some key topics of these events included:

- Branches held eight events that are linked to sustainability and climate change, engaging with 1,091 attendees.
- Branches held one event that is linked to the topic of diversity and inclusion, engaging with 99 attendees.
- Branches held 25 events that are linked to the topic of technical presentations, engaging with 2,092 attendees.

Branches continued to hold executive meetings and branch events effectively in a virtual platform, although numerous volunteers expressed that this format lacks the personal connection and interactivity of in-person events and meetings. While outside this reporting period, the branches have held at least three in-person events consisting of a networking event and two golf tournaments in July and August 2022. These events were held in adherence to Engineers and Geoscientists BC's Communicable Disease Prevention Policy that came into place in the spring/summer of 2022, which allows for in-person external meetings and events.

An informal meet and greet session with the new Chief Executive Officer was hosted on Wednesday, August 18, 2021. Branch and Division representatives were invited to a virtual meet and greet session with new CEO, Heidi Yang, P.Eng., FEC, FGC (Hon.). This session provided an opportunity for the CEO and the branches to ask questions, share ideas, and put some faces to names. Out of the 15 branches invited, 10 branches were present. This was a well-attended session that provided an opportunity to discuss the challenges and opportunities that branches are facing.

The fall and spring Branch and Division Representative meetings occurred virtually on October 6, 2021, and May 3, 2022 and were well attended. These meetings took place to discuss branch business, successes and challenges, and share updates from organization staff.

Branch Volunteer Training Session

A volunteer training session on facilitation skills for moderated events was hosted on June 9, 2022. During this session, branches learned how content, structure, and facilitation are key aspects when planning an engaging moderated session. The purpose of this session was to provide branches support and resources in their volunteer role as well as professional development. After the session was concluded, branches were encouraged to share their knowledge from the training session with their respective volunteer executives (teams) when planning their next panel discussion.

NOTABLE EVENTS

Presentations

- Small Nuclear Reactors (Victoria)
- Port of Vancouver - Major Infrastructure Projects (Vancouver)
- 3D Modelling Using Autodesk Fusion 360 (Richmond/Delta)
- Development of a Software Tool for Continuous and Noninvasive (South Central)
- Design and Construction of Resilient Structures (Burnaby/New Westminster)
- Sustainable Design Practices for Redevelopment (Vancouver Island)
- Dams Incidents and Remedial Measures - Case Study Review (Tri-City)
- Personal Branding: Boost Your Career With the YOU Factor (Okanagan)

Sustainability and Climate Change Related Events

- Deep Carbon Reduction Retrofits of Buildings (Victoria)
- Seismic Design of Nonstructural Components (Tri-City)
- BC's Current Urban Interface Fire Situation (Sea to Sky)
- An Inside Look At the Greater Nanaimo Pollution Control (Vancouver Island)
- The Future of Renewable Natural Gas in BC (Vancouver)
- Opportunities and Challenges for Integrating Sustainability (Vancouver)

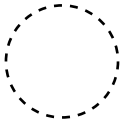
Diversity and Inclusion Related Event

- EDI in Engineering (Richmond/Delta)

Branch AGMs

Seven branches held their respective branch AGMs with new branch chairs indicated below.

- Central Interior Olaf Starck, P.Eng. (Ret) and Dr. Natalie Linklater, EIT – Chairs
- Fraser Valley Syed Ali, P.Eng. – Chair
- Northern Jon Phelan, P.Eng. – Chair
- Okanagan Hélène Désrosiers, P.Eng. – Chair



- Richmond/Delta Damian Williams, P.Geo. – Chair
- Vancouver Island Chris Bandy, P.Eng. – Chair
- Victoria Daphne Sidaway-Wolf, P.Eng. – Chair

In March 2022, the incoming Branch Representative Chair was approved by Council. Christopher Flury, P.Eng. of the Peace River Branch will be assuming this role from Jamie Malthus, P.Eng. (Northern Branch) following the fall 2022 Branch and Division Representative meeting.

ENGINEERS & GEOSCIENTISTS
BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.5

DATE	August 20, 2022
REPORT TO	Council for Information
FROM	Jason Ong, Director, Registration
SUBJECT	Registration Admissions Report to Council for Fiscal 2022
LINKAGE TO STRATEGIC PLAN	Stakeholder Engagement – We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest. Process – We have efficient and effective systems in place to enable modern regulation

Purpose	To report on the admissions and registrant statistics and performance for the 2022 Fiscal Year.
Motion	No Motion required. For information only.

BACKGROUND

The Registration Report is provided to the Council on a semi-annual basis. Reports are provided to Council at its September meeting to provide fiscal year-end results, and at its first meeting of each calendar year to report on the prior calendar year for budget planning purposes. Members of Council are invited to provide feedback on any aspect of the attached report and are welcome to ask for additional analysis.

DISCUSSION

Changes of Note from the February 2022 Registration Admissions Report

1) Department Restructuring and Resiliency Plan

In Spring 2022, a resource allocation exercise was conducted for the Registration Department. The results revealed a significant resource deficit at the management level. In response to this, along with the continual increase in application volumes, a proposal to restructure the Registration Department was presented to the Executive Team justifying the hiring of a new position, *Manager, Experience Assessment*, as well as the reallocation of existing team members to improve application management for all designations. This plan was approved and the hiring process for the new position is underway.

2) Significant Increases in All Application Streams

Increased Application Volumes for Fiscal 2022

For the third consecutive year, fiscal 2022 resulted in significant increases in applications for virtually all engineering and geoscience designations, both for first-time applicants as well as those already holding professional registration in at least one other Canadian province or territory applying to Engineers and Geoscientists BC.

For those applying for professional registration for the first time, there was an overall increase of 15% over last fiscal year with a total of 4,250 applications submitted.

Fiscal 2022 also saw the largest application intake for registrants from other provinces and territories in Canada applying to Engineers and Geoscientists BC. In total, 2,031 applications for national mobility transfers were submitted with significant increases over prior Fiscal 2021 totals for nearly all designations.

Overall, Fiscal 2022 saw an overall intake of 6,285 applications for registrant status (not including applications for reinstatement from former registrants). This is a significant 18% increase over Fiscal 2021 which had 5,334 total new applications.

Sustained Volume of Reinstatements

Applications for reinstatement decreased by 18% for Fiscal 2022, but still resulted in a high amount (1,125 total reinstatement applications) over all previous years with the exception of Fiscal 2021. The sustained level of reinstatement applications is due to several factors in relation to bylaw changes since the implementation of the *Professional Governance Act (PGA)*.

Significant Growth of Trainee Base

The largest percentage volume increases for Fiscal 2022 were seen with applications for the Engineer-in-Training (EIT) and Geoscientist-in-Training (GIT) designations. A total of 2,321 new applications for EIT and 151 new applications for GIT were submitted. This was an increase of approximately 20% in total applications for trainee

status over Fiscal 2021. In addition to this, there was also a significant increase in the number of existing trainees submitting applications from other provinces and territories. Mobility transfers from EITs and GITs both experienced significant increases over Fiscal 2021 totals.

This continued increase in trainee volumes is an indicator for sustained high application volumes for the P.Eng. and P.Geo. designations in the years to come. It is also a result of increased applications from graduates of BC engineering and geoscience programs who apply for trainee status upon completion of degree requirements.

More detailed information can be found in *Appendix A – Data and Analysis for Registration Admissions report*

3) Process KPIs and Council Targets

Due to significantly increased application volumes for most designations in Fiscal 2022, processing times for first time applications for all designations experienced an increase in calendar days from the point of application to the time of a first decision. Applications for the P.Eng. designation experienced a 15% increase in assessment time. More critical is the significant increase in assessment times for P.Geo. applications expanded on in the next section.

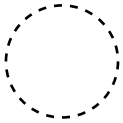
The processing time for mobility applications has been reduced to under two calendar days for Fiscal 2022.

4) Processing Times for Geoscience Applications

Application processing times for geoscience designations have become an area of concern especially with regard to the amount of time it is taking for assessments of experience to be conducted for P.Geo. applicants. At the time of drafting this report, there are over 100 P.Geo. applications awaiting an experience assessment with just under a third having waited 200 days or more. This has resulted in several applicants contacting Engineers and Geoscientists BC to express their concerns with the application process. While no formal legal challenges have been submitted, it is recognized that the current situation represents an area of high risk to the organization. To help mitigate this, Engineers and Geoscientists BC have informed our insurance carrier which has resulted in the retention of external legal counsel to provide guidance.

There are multiple factors contributing to the current delays experienced by geoscience applicants:

- Rising application volumes for all designations have stretched existing staff and volunteer resources.
- Initiatives related to the operationalization of the *PGA* as well as necessary process changes in response to the pandemic have greatly affected the amount of staff time that can be devoted to certain application groups.



- Significant changes to the assessment methodology for geoscience experience with the transition to an online competency-based assessment format has revealed a need to provide more support to volunteer assessors in terms of training and guidance.
- Volunteer recruitment efforts have stalled and the uptake of new geoscience volunteer assessors has not kept pace with the sustained high volume of applications.

Several solutions to clear the current backlog and to prevent backlogs forming in the future are already being implemented. Staff have garnered the full support of the Geoscience Subcommittee and all existing volunteer geoscience assessors to address the immediate backlog of experience assessments starting with the most critical applications that have been waiting the longest. A restructuring of the Registration Department was initiated in March 2022 and is currently underway with the main goal being to ensure the fair and timely assessment of applications for all designations. This restructuring involves the hiring of a new manager position dedicated to overseeing the experience assessment process for all application types as well as departmental changes to reporting lines to ensure adequate staff resourcing moving forward.

The Credentials Committee has been made aware of the situation and informed that staff will be proposing several policy updates currently in place for engineering applications that would allow geoscience applicants who meet specified low-risk criteria to potentially qualify for an expedited assessment process.

A communications plan is being implemented that involves contacting all geoscience applicants currently waiting for the completion of an experience assessment. They will be informed of the anticipated review times and the solutions put in place.

While Engineers and Geoscientists BC has traditionally been recognized as having some of the more streamlined application routes resulting in shorter assessment times, there are currently no KPIs for geoscience applications. Registration staff will be conducting research to look at other engineering and geoscience regulators and those of other professions to determine an appropriate target for time to a decision. At this time, staff will be adopting a temporary target of six months (~120 business days) for complete geoscience applications to undergo assessment and for decisions to be communicated to applicants.

To prepare for an increasing number of applications in years to come, it is recognized more assessors in a variety of geoscience practice areas are needed. A recruiting drive is planned to increase the pool of academic and experience assessors for all geoscience applications. The training and onboarding of new volunteers will be prioritized.

While the current situation surrounding prolonged application wait times has reached a critical stage, it is recognized by the Credentials Committee, the Geoscience Subcommittee, and staff that that the standards for of entry-to-practice to the geoscience profession should not be lowered in any way.

5) Accredited Employer Program

The Program made permanent by Council in April 2018 currently has 28 employers and 329 EITs. Employers that have demonstrated robust work environments that provide exposure to all of the necessary competencies for licensure have the option to partner with Engineers and Geoscientists BC to leverage a low-risk, expedited pathway for their trainees. Processing times continue to be shorter for program applicants in comparison to non-program applicants. For Fiscal 2022, program trainees with completed applications received a decision in an average of 29 business days. Efforts are being made to recruit geoscience employers and GITs now that competency-based assessment is mandatory for all P.Geo. applicants.

6) Multi-Jurisdictional Online Technical Exams Pilot

Since the September 2021 admissions report, Engineers and Geoscientists BC held the second multi-jurisdictional online technical examinations session in partnership with the Association of Professional Engineers and Geoscientists of Alberta (APEGA) and Professional Engineers Ontario (PEO). In addition to candidates from all three jurisdictions, the scope of the pilot increased to include candidates from other Canadian jurisdictions.

Engineers and Geoscientists BC's Registration team continues to project manage the pilot in addition to staff resources committed by partner associations APEGA and PEO. The team continues to work with our examination and virtual proctoring vendors to further refine the process. Prior to the end of 2021, approval was granted to recruit two additional Examination Assistants to provide further support to the pilot. These positions were filled in March/April 2022 and they have been onboarded to be able to assist with the Spring/Summer 2022. The Spring/Summer 2022 session saw the largest volume of candidates to date with a grand total of 1,139 across seven engineering and geoscience regulators (including candidates of Engineers and Geoscientists BC).

More information on this pilot can be found in *Item 5.7.6 Update on Multi-Jurisdictional Online Technical Examinations Pilot*

APPENDIX A – Data and Analysis for Registration Admissions Report

Registration Admissions Report

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Applications

New Applications

Application Type	Fiscal 2020 June 30, 2020	Fiscal 2021 June 30, 2021	Fiscal 2022 June 30, 2022	% Increase Fiscal 2022 vs. Fiscal 2021
First Time Applying in Canada				
Professional Engineer	1276	1427	1520	7%
Professional Geoscientist	83	114	111	(3%)
Engineer-in-Training	1769	1960	2321	18%
Geoscientist-in-Training	111	126	151	20%
Professional Licensee	75	80	84	5%
Professional Licensee – Bridge to	0	0	0	0
Total First Time Applying in	**3314**	**3707**	**4250**	**15%**
National Mobility Transfers (not including reinstatements)				
Professional Engineer	1028	1228	1500	22%
Professional Geoscientist	57	108	129	19%
Engineer-in-Training	213	241	343	42%
Geoscientist-in-Training	9	18	30	67%
Professional Licensee	22	30	29	(3%)
Total National Mobility Transfers	**1329**	**1625**	**2031**	**25%**
Other				
Designated Structural Engineer	9	2	4	100%
Total New Applications	**4652**	**5334**	**6285**	**18%**
Increase over Prior Year	(4.1%)	14.66%	18%	
Average 3-year application growth			**9.52%**	

Total Applications including Conversions and Reinstatements

Application Type	Fiscal 2020 June 30, 2020	Fiscal 2021 June 30, 2021	Fiscal 2022 June 30, 2022	% Increase Fiscal 2022 vs Fiscal 2022
Sub-Total New Applications	**4652**	**5334**	**6285**	**18%**
Reinstatements/Return to Practice - all categories	519	1334	1125	(16%)
Professional Licensee change to Authorized Area of Reserved Practice	2	7	2	(71%)
TOTAL ALL APPLICATIONS	**5173**	**6675**	**7412**	**11%**

First Time in Canada P.Eng. and P.Geo. Applicants - Canadian vs. Internationally Trained*

*(*Trained = first-degree origin)*

First time making this type of application in Canada: e xcludes transfers from other provinces

Application Type	Total	Internationally Trained		Canadian Trained	
Professional Engineer	1520	743	48.9%	777	51.1%
Professional Geoscientist	111	44	39.6%	67	60.4%

Accredited Employer Engineer-in-Training Program

Participating Employers (28 Active)	Number of current EIT participants	Number of participating EITs licensed as P. Eng.	Total
AES Engineering	11	10	21
Aplin and Martin Consultants	27	13	40
Associated Engineering	32	24	56
BBA	25	0	25
Binnie	19	29	48
City of Burnaby	2	1	3
City of Kelowna	4	2	6
City of Richmond	10	4	14
COWI	4	9	13
Dynamic Attractions	5	9	14
Fast + Epp	12	10	22
Glotman Simpson Consulting Engineers	8	13	21
WSP - Golder	6	8	14
Greenlight Innovation	11	2	13
Hemmera (Ausenco)	0	3	3
Herold Engineering	11	5	16
Integral Group	11	12	23
JRS Engineering	13	3	16
Kerr Wood Leidal	16	4	20
Klohn Crippen Berger	5	13	18
LMDG	4	0	4
McElhanney	8	24	32
Ministry of Transportation and	22	20	42
Omicron	7	10	17
RAM Engineering	18	2	20
RDH Building Science	16	6	22
Reliable Controls	9	2	11
Rio Tinto (Withdrawn)	0	3	3
Solaris Management Consultants Inc.	13	4	17
TOTAL	**329**	**245**	**574**

New Registrants/Licensees – First Licence in Canada

Canadian vs. Internationally Trained

Licence Type	Fiscal 2022 Total	Internationally Trained		Canadian Trained	
Professional Engineer	2380	865	36.3%	1515	63.7%
Professional Geoscientist	143	34	23.6%	109	76.2%

Processing Times: Documents Complete to a Decision

Applicant Type	Council Target Average Time (Calendar Days) to a Decision	Fiscal 2021	Fiscal 2022	% Increase (Decrease)
First Time, P.Eng. – Canadian Trained	Average: 35 days	Average: 47 days	Average: 54 days	15%
First-time P.Eng. – Internationally Trained	Average: 40 days	Average: 68 days	Average: 78 days	15%
EIT to P.Eng. - All	Average: 30 days	Average: 48 days	Average: 55 days	15%
First Time, P.Geo. – Canadian Trained	No target set	Average: 127 days	Average: 215 days	70%
First-time P.Geo. – Internationally Trained	No target set	Average: 83 days	Average: 173 days	108%
GIT to P.Geo. - All	No target set	Average: 131 days	Average: 223 days	70%
Mobility Applicants licensed in another Canadian jurisdiction				
Professional Engineers	95% within 3 business days	Average: 2.0 days	Average: 1.8 days	(10%)
Professional Geoscientists	95% within 3 business days	Average: 1.9 days	Average: 1.4 days	(26%)

Registrant Growth from June 2018 to June 2022

	Jun-18	Jun-19	Jun-20	Jun-21	Jun-22	2022 vs 2021
Professional Registrants						
Professional Engineer	24444	25528	26299	27629	27864	0.85%
Professional Geoscientist	1830	1903	1969	2057	2068	0.53%
Dual Registrant	92	96	96	97	92	-5.15%
Trainees						
Engineer-in-Training	5975	6655	7154	7482	8298	10.91%
Geoscientist-in-Training	408	462	472	469	526	12.15%
Professional Licensees						
Professional Licensee Eng (P.L.Eng.)	193	223	242	294	315	7.14%
Professional Licensee Geo (P.L.Geo.)	9	8	10	10	13	30.00%
Total Registrants	**33,625**	**35,559**	**36,954**	**38,038**	**39,176**	**2.99%**

ENGINEERS & GEOSCIENTISTS
BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.6

DATE	August 22, 2022
REPORT TO	Council for Information
FROM	Michelle Cheng, Manager, Examinations, Geoscience, Registration Integrity and Policy Jason Ong, Director Registration
SUBJECT	Update on Multi-Jurisdictional Online Technical Examination Pilot
LINKAGE TO STRATEGIC PLAN	<u>Vision Outcomes</u> • Future Ready: We value regulatory innovation; we anticipate tomorrow's challenges and opportunities and constantly adapt to stay relevant and support strong professional practice; our processes are adaptable to enable agile regulation. <u>Strategic Imperatives</u> • Process: We have efficient and effective systems in place to enable modern regulation. <u>Values</u> • Collaboration: We approach challenges and opportunities with a mindset of inclusivity and shared success. • Excellence: Our dedication to our work drives a desire to go above and beyond. We apply our diverse knowledge and expertise to build strong solutions. • Innovation: We use creativity to find solutions. We are open to new ideas and approaches as we strive for continuous improvement.

Purpose	To provide an update on the current status of the online academic/technical exam pilot program led by Engineers and Geoscientists BC in partnership with APEGA and PEO.
Motion	No motion required. For information only.

BACKGROUND

Academic/technical examinations have traditionally been provided by Professional Engineers Ontario (PEO) in a paper-based, in-person format and were offered in May and December sessions. In July 2020, Engineers and Geoscientists BC launched an initiative to offer online

technical examinations as our engineering examination provider, PEO had been unable to offer examinations at the scheduled May 2020 session and it was uncertain if they would be able to offer them at the December 2020 session.

This resulted in implementation by Registration staff (the “Engineers and Geoscientists BC Exam Team”) of the first session of online, virtually proctored examinations in November/December 2020. The exam session was considered a success and garnered the interest of other regulators.

Since Spring 2021, Engineers and Geoscientists BC hosted online exams for PEO and APEGA candidates in addition to BC candidates and since Fall 2021, the pilot has also supported exam candidates for engineering and geoscience regulators in Saskatchewan, New Brunswick, Nova Scotia, PEI and Newfoundland. The pilot is stipulated to end in December 2023 with the potential to extend the pilot or to adopt the online exams program into a permanent fixture.

UPDATE

The Spring/Summer 2022 session was completed successfully from May through July 2022 with over 1,100 examinations attempted across 149 unique exam topics in engineering and geoscience. EGBC is currently preparing for the next upcoming session in Fall 2022 (October through November).

In March/April 2022, Engineers and Geoscientists BC recruited two Exam Assistants to support the online exam program on a two-year contract. Staff onboarded the Exam Assistants during the implementation phase of the Spring/Summer 2022 session. Training is ongoing as the Engineers and Geoscientists BC Exam Team is in the planning and process improvement phases for the upcoming Fall 2022 session. The additional support staff for the online exam pilot has helped the existing staff in managing resources and time and to provide improved service to exam candidates across Canada.

The Engineers and Geoscientists BC Exam Team continues its role in improving standard operating procedures and provides ongoing support to other regulators and their exam candidates across Canada through guidance on technical issues, and consultations for misconduct incidences and investigations. Recognizing potential areas for improvement, the Engineers and Geoscientists BC Exam Team has been exploring additional cloud storage and virtual proctoring services to reduce planning and implementation bottlenecks, to maximize staff time and resources all while attempting to reduce overhead costs.

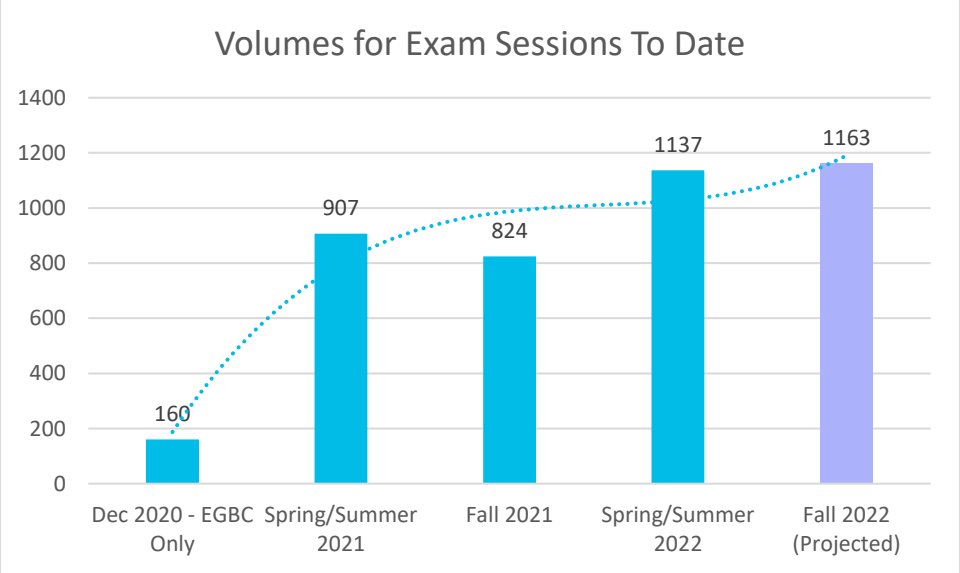
Table 1 below shows the breakdown of candidates by regulator in the Spring/Summer 2022 session.

Table 1: Spring/Summer 2022 Number of Candidates by Regulator

	Spring/Summer 2022
Regulator	**Total Candidates**
Association of Professional Engineers and Geoscientists Alberta (APEGA)	62
Association of Professional Engineers and Geoscientists Saskatchewan (APEGS)	52
Engineers Nova Scotia	22
Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	8
Professional Engineers Ontario (PEO)	839
Professional Geoscientists Ontario (PGO)	5
Engineers and Geoscientists BC (EGBC)	143
Grand Total	**1139**

Figure 1 below shows the overall volumes per session since the inception of online academic exams in December 2020. It shows the growth and consistent volumes for academic exams.

Figure 1: Volumes of Exams Sessions To Date



It is estimated that the Fall 2022 will see a similar volume of exam sittings as previous sessions. There are currently 1,163 exam candidates registered for the upcoming sitting. The Engineers and Geoscientists BC Exam Team believes that the consistently high volumes – relative to the first pilot sessions in 2021 – are due to major improvements in the online exam process, communication to candidates and scheduling since the beginning of the pilot. This has allowed the Engineers and

Geoscientists BC Exam Team to instill trust in exam candidates and provide improved support to them.

It has been highlighted by participating regulators that the online academic exams have a significant positive impact on registration practices across Canada. Most exam candidates are internationally trained professionals that would typically be required to travel or take significant time off work to challenge their exams. With exam sessions being cancelled due to public health restrictions, this meant potentially significant delays to exam candidates and their ability to progress with licensure. With the online academic exam pilot and the ability for candidates to sit for exams remotely, it meant that not only could they continue with their application process, but also be able to save costs on travel and/or not be required to take time off from work to attend their exams.

It is also notable that virtual proctoring of exams has provided more definitive evidence of exam cheating and misconduct that would otherwise be difficult to support in an in-person setting.

LOOKING AHEAD

The online academic exam pilot is slated to end in December 2023. Service contracts with exam providers are also due for renewal at the end of 2023. The discussion to review the long-term sustainability of the pilot program based on current staff resources and expenses is currently underway in order to determine whether to i) extend the pilot; ii) to adopt the program as a permanent service or iii) to end the pilot. The Engineers and Geoscientists BC Exam Team will be engaging with the Engineers Canada National Admissions Officials Group (NAOG) in September 2022 to gauge current and future exam projections and to determine the desire to continue the program with the current pricing structure.

More information regarding the online exam program and upcoming sessions can be found on the Engineers and Geoscientists BC website.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.7

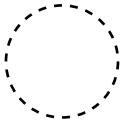
DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Engineers Canada Engineers and Geoscientists BC Directors Ann English and Mike Wrinch
SUBJECT	Engineers Canada Director Update
LINKAGE TO STRATEGIC PLAN	We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest.

Purpose	To update Council on Engineers Canada activities.
Motion	No motion required. For information only.

BACKGROUND

Engineers Canada (EC) is the national body for the advancement/coordination/collaboration of the Engineering Profession across Canada. They are 'owned' and funded by the 12 regulatory bodies across Canada but they have no regulatory authority themselves. Engineers & Geoscientists BC (EGBC) has two Director positions on the EC Board of Directors. While these 2 Directors have a fiduciary duty to EC, they also serve as a liaison between Engineers and Geoscientists BC and EC and are ideally suited to carry information and concerns to/from Engineers and Geoscientists BC and EC. These updates are an opportunity for the Directors (currently Mike Wrinch and Ann English) to share information regarding current EC activities carried out by EC on behalf of the owners.

This report covers the activities of Engineers Canada that took place in the summer of 2022 since the last EC Board meeting. (Please note – the links in this report will not work for the Engineers and Geoscientists BC Councilors. If additional information on any items is required, please advise the Directors Ann English or Mike Wrinch who will be pleased to obtain it for you).



Engineers Canada directors update - July 2022

Engineers Canada Board

From May 25-May 28, Engineers Canada hosted its spring 2022 meetings and AMM in Toronto, Ontario. These meetings included the CEO Group meeting, Presidents' Group meeting and Regulator Presentations, the Board meeting and the annual meeting of Members (AMM), among others.

The Board discussed and made a number of decisions, including to appoint members to the CEAB and CEQB and to approve a new National Position Statement (NPS) on the Role of Engineers in Building a Safe and Resilient Canada and revisions to the Procurement NPS. The Board also approved the new budget assumptions approval process and several Board policy revisions, and the new President-elect, Nancy Hill, was acclaimed. The disposition of motions for the Board meeting and the AMM can be found here.

The newly appointed Human Resources Committee held their first meeting, chaired by Mike Wrinch, and nominated directors for positions on the Governance Committee, the Finance, Audit and Risk (FAR) Committee, the Collaboration Task Force, the Strategic Planning Task Force, the director appointees to the CEAB and CEQB, and the 30 by 30 Champion. All nominations were submitted to the Board for approval at the June Board meeting.

The Engineers Canada Board held its two-day Board Strategic Workshop from June 20-21 in Mont Tremblant, Quebec. On day one of the two-day workshop, the Board met briefly to confirm the appointment of members to committees and task forces,. newly established committees and task forces held their first meetings of the year, where they confirmed their work plans for 2022-2023 and Directors engaged in some get-to-know-you activities and governance training. On day two, a facilitated session contemplating the recent Board self-assessment results took place, followed by a team-building exercise. Former President Chui received a letter from Engineers Nova Scotia which outlined a summary of their perspectives on Engineers Canada resulting from a workshop they had held on the matter. President Chui and Engineers Canada subsequently met with Engineers Nova Scotia President, Darrin McLean, and CEO & Registrar, Pal Mann, to talk through the issues they raised. Subsequently, President Chui sent a response to President McLean. These exchanges were shared with the Board; we encourage you to read them as they provide much food for thought on the future direction of our organization.

The Board policy manual has been updated following the Board meeting approvals and is now available for download/viewing here.

Strategic Priority 1.1: Investigate and Validate the Purpose and Scope of Accreditation

SP1.1 reached an important milestone in the last few months. Two task forces completed two reports on benchmarking the Canadian engineering accreditation system to other systems internationally and to other professions in Canada, as well as another on the current reality and future possibilities in engineering education. The reports were both distributed in May. The task

forces also presented their findings to the Steering Committee and the Regulatory Advisory Group. The presentations provided an opportunity for the Steering Committee and Regulators to ask questions and discuss the implications of this research, and the changes that might be required.

From June 13-16, the staff project team working on SP1.1 met with our lead consultants, Coeuraj, at the Engineers Canada offices. The team went through detailed project planning to align the people and resources that will be required over the next two and a half years. The team brought in Steering Committee Chair, Annette Bergeron, to provide feedback on the plans. The most important outcome of the session was an approach for the entirety of the project, and a detailed plan to the end of 2023.

Strategic Priority 2.1: Accelerating 30 by 30

Engineers Canada hosted the third and final session of our 2022 30 by 30 conference on April 27. The final week included a panel discussion with equity, diversity, and inclusion (EDI) leaders, who shared their passion for advocating for EDI in engineering, their lived experiences, and the challenges to EDI they see at play in the engineering workplace. The session was moderated by Claudia Gomez-Villeneuve, P.Eng., and included: Mairim Neves, P.Eng., of Sherritt International; Shohreh Roshani, P.Eng., of Ursa Environment Inc.; Nicole Wilson of the University of Alberta; and Josh Workman, P.Eng., of Stantec. The panel was followed by an interactive session featuring a self-care workshop with Campfire Kinship's Gayathri Shukla, P.Eng.

The Canadian Coalition of Women in Engineering, Science, Trades and Technology (CCWESTT) conference also took place where Engineers Canada presented at the lunchtime plenary and collaborated with former President of APEGNB, Christine Plourde, and Ailene Lim of EGBC on a presentation about Engineers Canada's EDI Training for Engineers. There was also an opportunity to discuss Engineers Canada's outreach and engagement programs in a session called "Intersectionality and Outreach: Engineers Canada's Commitment to the Next Generation".

Engineers Canada met with Engineers Nova Scotia to discuss: SP2.1 plans for 2022 and what is coming up for 2023; and Engineers Canada's outreach and engagement portfolio, with a focus on Future City.

Engineers Canada attended the virtual Electricity Human Resources Canada (EHRC) Advisory Committee Meeting on Building a Sexual Harassment-Free Workplace for Women in Electricity. Engineers Canada is a signatory to the EHRC Leadership Accord on Gender Diversity.

Engineers Canada hosted the 30 by 30 Post-Secondary Working Group meeting, which featured a research presentation and discussion on the effect of identity on teamwork led by Dr. Kim Jones, Associate Professor in the Department of Chemical Engineering at McMaster University, and Chair of the Ontario Network of Women in Engineering (ONWiE): "As teamwork expands in engineering course delivery, we must ensure that students have inclusive and equitable learning experiences. Using focus groups and interviews, we looked beyond gender effects to understand the effects of identity on group composition, roles, learning and comfort and propose doable interventions."

We also met with the 30 by 30 Early Career working group and were joined by Engineers and Geoscientists BC's Ailene Lim, Associate Director, Programs and Professional Development, and Marcie Cochrane, P.Eng., Equity, Diversity, and Inclusion Specialist, to discuss the changes made to Engineers and Geoscientists British Columbia's Practice Guideline on EDI. A recording of the session is available here.

On June 23, we celebrated International Women in Engineering Day (INWED) 2022. The INWED theme for 2022 was Inventors and Innovators. We shone a spotlight on five women and non-binary people in engineering who are not only recognized for their engineering accomplishments, but who are also equity, diversity, and inclusion (EDI) leaders in their workplaces and in their profession. Read more.

Strategic Priority 2.2: Reinforce Trust and the Value of Licensure

An RFP was released seeking service providers to lead the development of our marketing campaign, develop a value of licensure framework, undertake a gap analysis in support of the development of an EIT and engineering graduate outreach program, and conduct research in support of these components. Eleven proposals were received and a review team comprised of Engineers Canada staff and members of the advisory group of regulator staff are evaluating proposals. A selected vendor is expected to be in place in July.

Accreditation Board

The CEAB held their Spring meeting June 3, 4, and 5 in Ottawa – the first in-person meeting since February 2020. Agenda items included:

- Accreditation decisions related to 72 programs at 16 institutions
- Decisions relating to Washington Accord business, including jurisdictions undergoing periodic review (1), applying for provisional signatory status (1), and full signatory status (4). The CEAB's recommendations related to these applications will inform the 2022 IEA meeting delegation's discussions later this month.
- An update from Engineering Deans Canada (EDC), including a discussion about the EDC's overall reaction to the CEAB's 30 by 30 working group report
- Updates on recent Engineers Canada meetings, CEQB initiatives, and CEAB sub-committee activities
- A discussion about how the CEAB would like to engage in and contribute to Strategic priority 1.1: Investigate and validate the purpose and scope of accreditation
- An update from the Canadian Federation of Engineering Students, including preliminary data from their annual student survey

The CEAB acknowledged the milestone of having concluded a full slate of virtual visits over the past year and emphasized the collaborative effort between visiting teams, institutions, and the Secretariat for the successful pivot to a virtual visit modality.

The CEAB's Policies and Procedures Committee (P&P) also held their spring meeting with EDC's Deans' Liaison Committee (DLC) on April 29th. Agenda items included:

- Discussion around an early prototype of a 'Learning Unit' which is being explored as a potential alternative to the Accreditation Unit (AU) to measure curriculum inputs.
- The EDC proposal to address barriers to international student exchange experiences by developing an exception to CEAB criteria related to licensure requirements for the instruction of engineering science and engineering design. This is part of a broader discussion about the role of engineering licensure in undergraduate engineering education.
- The launch of the consultation on the CEAB's 30 by 30 Working Group's report

The CEAB launched a public consultation on its 30 by 30 Working Group Report. An introductory webinar in English was offered on Thursday, May 12th at 2pm – 3pm EDT. The recording can be viewed here. Stakeholders are also invited to attend one of the remaining sessions to provide their feedback:

- July 25, 1:00 pm ET
- August 31, 12:00 noon ET

Please note, each drop-in session will support both French and English participants. The consultation closes on August 31.

Engineers Canada received notice from Pierre G. Lafleur ing., Ph.D., FIC, FACG that he is resigning from the CEAB as his term as Chair concluded in late June. The CEAB thanked Pierre for his exceptional service at their June meeting. The Secretariat and Executive Committee are working to ensure that the vacancy does not impact the operational aspects of the CEAB's work.

Further to the Board discussion on the CEAB 30 by 30 Working Group Report, President Baig has sent a letter to the CEAB to ensure the concerns expressed by Engineering Deans Canada regarding the recommendations are given full consideration in the development of final recommendations for the Board.

The CEAB Accountability in Accreditation Committee conducted a short anonymous online survey seeking feedback from 2021-2022 Engineers Canada Board Directors on their impressions of various aspects of the accreditation system. Results from the survey, which closed on June 30, will help the CEAB refine the accreditation system to ensure its effectiveness, trustworthiness, transparency, and efficiency.

Qualifications Board

The CEQB Syllabus committee met to approve the revised Agricultural/ Biosystems/ Bioresource/ Food engineering syllabus, which was updated based on the recent regulator consultation on the document. Additionally, the committee approved a draft revised version of the 2016 Mechanical engineering syllabus, which will be sent for consultation in the coming weeks. Three additional syllabi are expected to be approved for consultation in the coming months.

The CEQB Task Force on Software Engineering also met to approve the draft revisions to the 2016 Engineers Canada Paper on Software Engineering. The document is planned for CEQB approval in July, following which it will go for regulator consultation.

Finally, the CEQB closed a consultation on its 2023 work plan as well as the Agricultural/Biosystems/Bioresource/Food engineering syllabus on June 7.

Equity, Diversity, and Inclusion

At the May meeting of our Decolonizing and Indigenizing Engineering Education Network (DIEEN), guest speaker Pam Wolf and Danilo Caron of the University of British Columbia, and Fay Nelson modelled a system level conversation rooted in curiosity and collaboration, and invited other DIEEN members to rehearse what might be possible in their systems.

The IAC met to discuss 2022 workplan updates, evaluation of DIEEN, research reports, and a discussion of the request from our staff to name a room in the spirit of reconciliation.

Also, Engineers Canada met with the leadership of Black Engineers of Canada (BEC) to discuss how Engineers Canada can collaborate regarding the recruitment, retention, and success of Black engineers in the profession.

Engineers Canada partnered with the Canadian Council for Aboriginal Business (CCAB) and their Progressive Aboriginal Relations (PAR) Program on an awareness raising and information webinar. Luanne Whitecrow, Director of the PAR Program at the CCAB, led a discussion on the PAR program, a certification that confirms corporate performance in Indigenous relations for companies who are good business partners, great places to work, and committed to prosperity in Indigenous communities. Nicole MacDonald, M.Eng., PMP, Senior Project Manager, Team Lead, and Environmental Technical Lead at Colliers, and IAC chair, shared her perspectives on working to achieve this certification with Colliers, and why the IAC recommended this as a pathway of change and commitment for us. The recording is available here.

Engineers Canada published two reports on Indigenous people's experiences in Engineering. For the Indigenous Inclusion in Engineering report we partnered with Big River Analytics to survey Indigenous engineers in three regulatory jurisdictions: Engineers Geoscientists Manitoba, Engineers and Geoscientists BC, and the Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS) on the experiences of being Indigenous in the engineering profession. For the Report on Truth and Reconciliation in Engineering Education, former and current Indigenous students, staff, and faculty in engineering faculties across Canada took part in

interviews and completed surveys in which they shared their lived experiences of being an Indigenous person in engineering education, perspectives, and visions for inclusive and just engineering faculties.

Outreach and Engagement

Engineers Canada hosted the annual Spring Meeting with the incoming and outgoing members of the Canadian Federation of Engineering Students (CFES) leadership team. The CFES is one of Engineers Canada's strategic partners.

Engineers Canada also held the Future City Experience Showcase along with Engineers of Tomorrow and Ontario Tech University featuring Canadian astronaut, Joshua Kutryk as this year's keynote speaker. This year's Future City Experience welcomed thousands of students participating from across Canada, paired with professional engineers and engineering student volunteer mentors in classrooms across eight provinces to support students as they designed and built a city on the moon.

National programs

Engineers Canada met with Affinity partner, Victor Canada for its annual reporting meeting. Agenda topics included a program update, overview of the current market, claims review, and marketing of the program.

Engineers Canada met with the Affinity Advisory Committee. In consultation with its independent advisor Aon, Engineers Canada put forth a recommendation which was supported by the committee, to proceed and sign the January 1, 2022- 2027 Term Life Retention Agreement with Manulife.

Our affinity partner Canada Life hosted an educational webinar on market volatility and ensuring that investments stay on track through economic turmoil on May 31, 2022. The webinar was open to all members and staff of the engineering regulators

In June, Engineers Canada hosted a hybrid meeting with affinity partner Canada Life and Engineers Canada's independent advisor Aon, for their semi-annual partner reporting meeting. Topics covered by Canada Life included a report on program performance, a market update, a marketing overview, the report on our financial advisor services, and an introduction to Member Guide Services. Aon provided its investment review and an update on trends affecting the markets.

Also in June, Engineers Canada held a webinar, hosted by our insurance broker, Marsh, to provide a brief overview of Engineers Canada's Directors and Officers insurance coverage.

Engineers Canada met with affinity partner Manulife and Engineers Canada's independent advisor Aon. Agenda topics for the Life and Accident & Sickness programs included the Competitive Summary, marketing results, participation, and plan experience reports while Aon spoke to the financial performance of the programs.

Additionally, Engineers Canada met with affinity partner TD Insurance (TDI) and Engineers Canada's independent advisor RSM. Some of the topics covered by TDI included the Quarterly Performance Review, Regional overviews, marketing results and rating updates while RSM spoke to the financial performance of the program.

National Discipline and Enforcement Officials Group

The National Discipline and Enforcement Officials Group met virtually in June. The group provided input to the CEQB's consultation on their 2023 work plan, shared their perspective on Strategic Priority 1.2: Strengthen Collaboration and Harmonization, shared updates on their own activities, and furthered their work on a unified approach to enforcement (or compliance) with regards to the use of the title "software engineer". Finally, the group bid farewell to APEGNB's Carol MacQuarrie, who retired in June.

Government Relations

I provided testimony on behalf of Engineers Canada to the Standing Senate Committee on Transport and Communications regarding their study of the impacts of climate change on critical infrastructure in the transportation and communications sectors and the consequential impacts on their interdependencies. A full transcript of the remarks is available on our public website at the following link.

Engineers Canada participated in the virtual Global Affairs Canada Chief Negotiator debrief for the Canada-India Comprehensive Economic Partnership Agreement (CEPA) Negotiations.

Regulatory research

In May, we held our second set of focus groups for the envisioning exercise. The purpose of the envisioning exercise is to gather stakeholders from outside of engineering regulation to describe possible futures of the engineering profession. On June 1, we gathered the same participants face-to-face for a one-day workshop to contemplate how both engineering regulators and Engineers Canada could respond to these challenges. These recommendations and ideas will inform our future work in regulatory research and be one of several inputs into this year's environmental scan – a first step in the development of the 2025-2027 strategic plan.

National Volunteer Week

For this year's National Volunteer week, April 24-30, 2022, we emailed letters of appreciation to our volunteers and posted their thoughts about volunteering through our social media channels. We also published an article in Engineering Matters and posted on our LinkedIn and Twitter. Learn more about this year's theme, "Empathy in Action" at https://volunteer.ca/nvw.

Engineering Deans Canada Relations

On May 16 and May 17, Engineers Canada attended the annual in-person meeting of Engineering Deans Canada with CEAB Chair Pierre Lafleur, CEAB Secretary Mya Warken, Vice President Stephanie Price, and CEO Gerard McDonald. Engineers Canada presented on Strategic priority 2.1: Accelerate 30 by 30 and sought input about what barriers EDC members saw and what interventions they believe have the most impact. The CEAB presentation also covered 30 by 30, with a focus on the CEAB 30 by 30 Working Group Report consultation.

We also hosted an afternoon session regarding SP1.1: Investigate and validate the purpose and scope fo accreditation. In this session, with help from our consultants Coeuraj and Steering committee members Wayne MacQuarrie and Annette Bergeron, we engaged every participant to answer questions about the benefits, costs and frustrations with the current accreditation system. This was an important step in building trust so that we can collaborate with all stakeholders in the execution of this project.

Special

We learned that Lia Daborn, CEO at APEGNB, received the Canadian Society of Association Executives (CSAE) 2022 Honorary Award of Excellence (see https://csae.com/news/2022-csae-awards-that-is-a-wrap/). The Honorary Award of Excellence is CSAE's most significant award and recognizes a member's sustained commitment and outstanding volunteer contributions to CSAE and thus to the association sector at large. Congratulations Lia!

As a reminder, Board Directors and regulator staff can access the Members Area of engineerscanada.ca. There you can find current and upcoming consultations, read previous weekly updates, find guidelines and other reports just for regulators, resources for the licensing of engineering graduates, and more. If you don't have an account, contact our communications team at communications@engineerscanada.ca.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.8

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Engineers and Geoscientists BC Director to Geoscientists Canada
SUBJECT	Geoscientists Canada Update
LINKAGE TO STRATEGIC PLAN	We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest.

Purpose	To update Council on Engineers Canada activities.
Motion	No motion required. For information only.

HIGHLIGHTS

Geoscientist's Canada's (GC) two websites: geoscientistscanada.ca and geoscienceincanada.ca have been fully reviewed and updated.

New postings on the GC website are:

- Ethical Considerations in the Professional Practise of Geoscience
- Indigenous Land Acknowledgement Guidance For Staff and Volunteers of Geoscientists Canada
- Yuri Kinakin, P.Geo. takes office as President of Geoscientists Canada for 2022-2023
- British Columbia Geoscientist, Dr. C.D. ('Lyn) Anglin, Ph.D., P.Geo, FGC, receives 2022 Canadian Professional Geoscientist Award

A draft response to the NI 43-101 consultation paper has been prepared and is being submitted to the Securities Committee Chair for review.

GC provided comments on the draft Guidance for Application of United Nations Framework Classification for Mineral and Anthropogenic Resources in Europe.

GC's CEO obtained new contact links and gained the interest of several countries to grow the Global Geoscience Professionalism Group membership.

The Canadian Federation of Earth Sciences (CFES) and the Canadian National Committee for IUGS (CNC-IUGS) invited GC and other organisations to discuss organisation of a bid for the International Geological Congress (IGC) in 2028.

Respectfully Submitted,

Del W. Ferguson, P.Geo., P.L.Eng., FGAC, FGC

Engineers and Geoscientists BC Director to Geoscientists Canada

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.9

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Engineers and Geoscientists BC Representatives to the Engineers Canada Qualifications Board
SUBJECT	Engineers Canada Qualifications Board Update
LINKAGE TO STRATEGIC PLAN	We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest.

Purpose	To provide an update on CEQB activities that have happened since the last council meeting
Motion	No motion required. For information only.

BACKGROUND

The Canadian Engineering Qualifications Board (CEQB) develops national guidelines, Engineers Canada papers, and examination syllabi that serve the needs of regulators, engineering licence holders, and applicants for licensure by enabling the assessment of engineering qualifications, fostering excellence in engineering practice and regulation, and facilitating mobility.

DISCUSSION

On July 18, 2022, the CEQB held its annual summer teleconference, the main focus of which was to finalize the 2023 CEQB work plan recommendations for Engineers Canada Board approval. Based on current workload, regulator feedback, and resource availability, the CEQB will submit the following items to the Engineers Canada Board for consideration:

- New Engineers Canada paper on the regulation of emerging disciplines
- Review of Guideline on principles for character investigations
- Review of Guideline on assuming responsibility for the work of engineers-in-training
- Review of three CEQB syllabi: Building engineering, Industrial engineering, and Petroleum engineering

In addition to the finalization of proposed work plan items at the meeting, the CEQB also approved three documents for regulator and stakeholder consultation:

- Draft of the new Guideline for engineers and engineering firms on Indigenous consultation and engagement
- Draft review of the Guideline on good character
- Draft review of the Engineers Canada paper on software engineering

Consultation on these items will run until September 21, 2022, and, as always, the CEQB welcomes feedback from Engineers and Geoscientists BC, seeing regulator input as critical to producing meaningful, valuable work.

In terms of current work, the CEQB and its committees have continued to have a highly productive summer, advancing two key work items for the approval stage at the September CEQB meeting:

- Draft Feasibility study on alternative methods of academic assessment for non-CEAB applicants (approval for consultation in October-November)
- Guideline on workplace equity for women (approval for recommendation to the Engineers Canada Board)

Over the summer, the CEQB has also initiated work on several new guidelines and reviews, which were mandated under its 2022 Work plan:

- New guideline on duty to report / wrongdoing
- New guideline on fitness to practice
- Review of the Guideline on code of ethics
- Review of the Guideline on conflict of interest

Finally, the CEQB is continuing reviews on four syllabi: Chemical engineering, Complementary studies, Electrical engineering, and Mechatronics engineering.

The CEQB is looking forward to its September 19th meeting in Vancouver, which will take place from 8:30am to 3:00pm at the Hyatt Regency Vancouver. Engineers and Geoscientists BC staff and delegates who would like learn more about the CEQB's work are welcome to attend.

RECOMMENDATIONS

If you have any feedback or would like to discuss any element of the CEQB's work, please reach out to Ryan Melsom, Manager, Qualifications and CEQB Secretary, at ryan.melsom@engineerscanada.ca.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.11

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	Council Attendance Summary (as at September 9, 2022)
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To provide updates on the Council attendance summary.
Motion	To motion required, for information only.

BACKGROUND

The Council Attendance Summary is used to track individual attendance at the Council meetings and other Council related events as well as the meetings of Council Sub-Committees that Councillors are assigned to (e.g. the Executive Sub-Committee, the Governance Sub-Committee and the Audit Sub-Committee). Each Councillor is assigned a column which is regularly updated.

At the end of the Council term, each Councillor's column will be tallied and a percentage applied. The intent in curating this summary is to provide information that will assist with future correspondence relating to things such as the election; this will enable staff to display the high level of dedication that is required of candidates. The Council Attendance Summary will also provide a clear visual of the number of mandatory (and a select few strongly recommended) Council related meetings that the average Councillor is required to attend.

ATTACHMENT A – Council Attendance Summary (as at September 9, 2022)

	Carol Park, P.Eng.	Mark Adams, P.Eng.	Larry Spence, P.Eng.	Suky Cheema, CA, CPA	David Wells, JD	Emily Lewis, CPA, CMA	Leslie Hildebrandt, ICD.D., LL.B.	Jessica Steeves, P.Eng.	Michelle Mahovlich, P.Eng., P.Geo.	Kevin Turner, P.Eng., FEC, FGC (Hon.)	Dr. Brent Ward, P.Geo., FGC, FEC (Hon.)	Jens Weber, P.Eng.
Nov 1, 2021 (Inaugural Council Mtg)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nov 1, 2021 (Governance Workshop- mandatory for new councillors only)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Nov 8, 2021 (President & VP Orientation)	✓	✓										
Nov 8, 2021 (New Council Orientation)	✓											✓
Nov 16, 2021 (Executive Council Sub-Comm)	✓	✓	✓		✓			✓				
Dec 2, 2021 (Strategic Planning Session)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dec 3, 2021 (Council Mtg)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dec 10, 2021 (Nomination Comm)			✓									
Dec 14, 2021 (Gov Council Sub-Comm)							✓		✓	✓		✓
Jan 13, 2022 (Executive Council Sub-Comm)	✓	✓	✓		✓			✓				
Jan 18, 2022 (Audit Council Sub-Comm)				✓		✓	✓				✓	
Jan 26, 2022 (Nomination Comm)			✓									
Feb 10, 2022 (Strategic Planning Session)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Feb 11, 2022 (Council Mtg)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Feb 28, 2022 (Nomination Comm)			✓									
March 1, 2022 (Gov Council Sub-Comm)							✓		✓	✓		✓
March 31, 2022 (Executive Council Sub-Comm)	✓	✓	✓		✓			✓				
April 6, 2022 (Nomination Comm)			✓									
April 21, 2022 (Council Strategic Planning Session)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
April 22, 2022 (Council Mtg)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
May 9, 2022 (Nomination Comm)			✓									
May 24, 2022 (Executive Council Sub-Comm)	✓	✓	✗		✓			✓				
May 31, 2022 (Governance Council Sub-Comm)							✓		✓	✓		✓
June 16, 2022 (Council Forum)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
June 17, 2022 (Council Mtg)	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
Aug 9, 2022 (Governance Council Sub-Comm)							✓		✓	✓		✓
Aug 15, 2022 (Audit Council Sub-Comm)				✓		✓	✓				✗	
Aug 16, 2022 (Executive Council Sub-Comm)	✓	✓	✓		✓			✓				
Sept 8, 2022 (Council Forum)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sept 9, 2022 (Council Mtg)	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓

Attendance Mandatory
(counts towards final tally) ✓

Attendance Strongly Encouraged
(does not count towards final tally) ✓

Attendance for Partial Meeting ✓

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 5.7.12

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	2021/2022 Workplan
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To provide Council with the current status of the actionable items listed on the Council Road Map for 2021/2022.
Motion	No motion required. For information only.

BACKGROUND

The attached document summarizes the expected agenda items that are planned to be brought forward to Council during the 2021/2022 Council Year. The items are aligned with the Strategic Plan and assist Council in seeing the progress on elements of the Strategic Plan. This road map is not exclusive and other additional items may be added throughout the year but will serve as a focus for this year's meetings.

Changes as of September 9, 2022

Please note that the items on the Work Plan noted below have been carried forward to a future meeting:

- Council Appointment Policy: With competing priorities and the complexity associated with the revision of the Council Appointment Policy, Engineers and Geoscientists BC has turned to an outside consultant to assist with the update, and potential rewrite of the policy. Work has begun and this item will be routed through the Governance Sub-committee and brought to Council in early 2023.
- Review of the Executive Council Sub-Committee: Based on discussion and recommendation from council at the June 17, 2022 Forum session, it was concluded that additional consideration is needed to ensure a sustainable committee structure that will

support Council in fulfilling its responsibilities. It is anticipated this will be brought back at a future meeting of Council for decision in the 2022/2023 Council term.

- Update on Pan-Canadian Engineering Competency Based Assessment Project: This update will be brought forward to Council at a future meeting in the 2022/2023 term considering the potential for Professional Engineers Ontario (PEO) to initiate discussions for using the Pan-Canadian CBA system.
- Whitepaper on ECO Canada proposal and the regulation of Environmental Scientists: This is an item that has had zero traction on our end due to being low on the priority list. ECO Canada has also been silent since initially bringing this up in 2019. Given our current familiarization with the OSPG and the PGA, as well as our current state of defining practice boundaries with the other regulators, any action on this should involve a more fulsome discussion. In light of this, this item is being struck from the workplan at this time.
- Update on feasibility study looking at menu-driven authorized areas of reserved practice for professional licensees: The report on menu-driven scope will not be presented at this meeting as it was meant to provide an update on the piloting of the methodology, using the practice area of Building Enclosure Engineering as the example. However, there have been some delays in finalizing the method (menu options and subcategories of practice) and the process, as the volunteer group working on the menus and scope options made further refinements. This has delayed the start of the pilot program. Once the pilot has started and some meaningful data is available, a report will be brought to Council. The expectation is that there will be an update to Council in early 2023.

APPENDIX A – Council Road Map (as of September 9, 2022)

5.7.12 - APPENDIX A

Engineers and Geoscientists BC Council Road Map for 2021-2022

	Strategies	December 2, 2021 (Strategic Planning Session)	December 3, 2021 (Council Meeting)	February 10, 2022 (Strategic Planning Session)	February 11, 2022 (Council Meeting)	April 21, 2022 (Strategic Planning Session)	April 22, 2022 (Council Meeting)	June 16, 2022 (Council Forum)	June 17, 2022 (Council Meeting)	September 8, 2022 (Council Forum)	September 9, 2022 (Council Meeting)	October 15, 2022 (Inaugural Meeting 2022/2023 Term)
Goal 1 ***To uphold and protect the public interest through the regulation of the professions.***	**Clarify the association's regulatory role and responsibilities through ongoing communication and engagement with members and other stakeholders.**	**Strategic Plan Development:** Informed by the feedback from the September session with Council, as well as additional feedback from stakeholder inputs, management will begin its development of the draft strategic framework through a series of one-on-one conversations and planning sessions with senior management. As we work to create conditional approval of the strategic plan in February, the November session with Council will provide the opportunity to share outcomes of the process to date and allow Council to weigh in with considerations and perspectives. The session will help validate management's thinking and identify additional considerations, ensuring the strategy is informed by a diversity of expertise and experience.	OSPG Familiarization Update	**Strategic Plan Development:** Incorporating the additional feedback provided by Council in November, management will continue to build the draft strategic plan, along with success metrics. At the February session, management will present the draft strategic plan to Council, address any outstanding questions or concerns and seek conditional approval of the Plan. Management will also present general guiding principles/ budget guidelines for the budget process for Council approval, to establish boundaries/comfort levels in creation of a multi-year budget that will accompany the Strategic Plan.	OSPG Familiarization Update Conditional approval of Strategic Plan	**Finalize Strategic Plan:** the final strategy will be presented to Council in April for formal approval, along with a draft base budget, revenue scenarios and an allowance for draft initiatives. In addition, a highlevel tactical plan, focused on key organizational initiatives that will support the plan will be presented. Management will be seeking Council's conditional approval of the draft budget in April.	OSPG Familiarization Update Removed from agenda as there is nothing new to report. Final approval of Strategic Plan	Review of Executive Council Sub-Committee	Review of Executive Council Sub-Committee This will be brought back at a future meeting of Council for decision in the 2022/2023 Council term. OSPG Familiarization Update	Council Evaluation & Volunteer Engagement Research	Separate Advocacy Body Review Update Independent Chief Elections Officer Update This was brought forward to Council at the June 17, 2022 meeting.	Appointment of Councillors to Council Sub-Committees
	Identify and implement practices, programs, policies, bylaws, and *Act* amendments that improve Engineers and Geoscientists BC's ability to more effectively carry out its duty and objects.		Bylaw Updates						Report of the Nominating Committee on its Selection of Nominees Council Appointment Policy This will be brought forward to a future Council meeting in early 2023.			
Goal 2 ***Establish, maintain and enforce qualifications and professional standards.***	**Enhance members' awareness and use of professional practice resources.**		Professional Practice Guidelines - Legislated Landslide Assessments Professional Practice Guidelines - Peer Reviews Professional Practice Guidelines - Equity, Diversity and Inclusion						Climate Change Action Plan Update			
	Deliver timely, outcomes-focused complaints and enforcement processes.		Quarterly I&D and Enforcement Reports		Quarterly I&D and Enforcement Reports Update on High Profile Discipline Files		Quarterly I&D and Enforcement Reports Deferred to September 2022 mtg				Year End I&D and Enforcement Reports	
	Operationalize the PGA.		PGA Operationalization Update		PGA Operationalization Update - Deferred to April 22 mtg		PGA Operationalization Update				PGA Operationalization Update	
	Participate in initiatives that improve national harmonization of regulatory processes.				Whitepaper on ECO Canada proposal and the regulation of Environmental Scientists - This item has been removed from the workplan. Update on Multi-Jurisdictional Online Technical Examinations Pilot		Update on feasibility study looking at menu-driven authorized areas of reserved practice for professional licensees This will be brought forward to a future Council meeting in early 2023.				Update on Pan-Canadian Engineering Competency Based Assessment Project This will be brought forward to a future Council meeting in the 2022/2023 Council term. Update on Multi-Jurisdictional Online Technical Examinations Pilot	
Goal 3 ***Promote and protect the professions of engineering and geoscience (subject to goals 1 & 2).***	**Implement the new brand and increase awareness of the high standards that Engineers and Geoscientists BC must meet.**			Induction Ceremony - Cancelled due to COVID-19				Induction Ceremony Cancelled due to COVID-19				
	Assess and improve admission processes and tools to facilitate robust and timely assessment of applicants.				Registration/Admissions Report for Calendar 2021				Update on Implementation of Canadian Environment Competencies BC Higher Education Institution (H.E.I.) Updates		Registration/Admissions Report for Fiscal 2022	
	Implement processes that support Engineers Canada's 30 by 30 program for improving the number of women in the professions.								30x30 Initiative Update		Division Activity Update	
	Clarify the association's regulatory role and responsbilities through ongoing communication and engagement with members and other stakeholders.				Division Activity Update							
Sustaining Operations			Mandatory Registrant Reporting Results Risk Register		Budget Guidelines Risk Register KPI Update		Conditional Approval 2023 Budget Risk Register		2023 Budget Approval Risk Register		KPI Update Risk Register 2022 Audited Financial Statements Approval of Auditors	

Item Completed (yellow)
New Item (green)
Items Advanced (orange)
Items Removed (blue)

RECORD OF A COUNCIL RESOLUTION DECIDED BY ELECTRONIC MEANS

President Carol Park, P.Eng., as Chair of Council, proposed the following motion via electronic means (email) pursuant to the Organization's Bylaw 2.4(10). The email with the following proposed motion was sent to all members of Council on July 15, 2022 with the requested deadline for response by July 18, 2022:

> **MOTION: That Council approve the following:**
>
> **David Pavan, R.Ph., is appointed Registrar pursuant to section 31(1) of the Professional Governance Act, S.B.C. 2018, c. 47, effective July 18, 2022. Through this appointment, Mark Rigolo, P. Eng., will no longer be the acting Registrar.**

This proposed motion was forwarded to all voting members of Council:

Mark Adams, P.Eng.	Vice President
Suky Cheema, CPA, CA	Councillor
David Wells, JD	Councillor
Leslie Hildebrandt, ICD.D., LL.B	Councillor
Emily Lewis, CPA, CMA	Councillor
Michelle Mahovlich, P.Eng., P.Geo.	Councillor
Kevin Turner, P.Eng., FEC, FGC (Hon.)	Councillor
Jens Weber, P.Eng.	Councillor
Dr. Brent Ward, P.Geo., FGC, FEC (Hon.)	Councillor
Jessica Steeves, P.Eng.	Councillor

Results of the Electronic Vote:

Ten members responded by the deadline and all ten unanimously voted in the affirmative on the proposed motion.

Based on the response, the proposed motion is adopted and approved by Council (CO-22-75).

I personally reviewed the responses from Council on the proposed motion and I certify the above record is correct.

Carol Park, P.Eng.
President

ENGINEERS &
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FINANCIAL RESULTS INDEX
FOR THE YEAR ENDED JUNE 30, 2022

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ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.1

DATE	August 26, 2022
REPORT TO	Council for Decision
FROM	Suky Cheema, CPA, CA Chair, Audit Sub-Committee
SUBJECT	PricewaterhouseCoopers LLP (PwC) Auditor's Report FY2022
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To accept the Audit Sub-Committee report and approve the audited Engineers and Geoscientists BC Financial Statements for the fiscal year ended June 30, 2022.
Motion	1. That Council accept the report of the Audit Sub-committee.
	2. That Council approve the following appropriation from the unrestricted General Operating Fund effective June 30, 2022: a) $965,850 to the Property, Equipment, and Systems Replacement Fund; and b) $500,000 to the Legal and Insurance Fund.
	3. That Council approve the audited Engineers and Geoscientists BC Financial Statements for the fiscal year ended June 30, 2022.
	4. That the President and the Chief Executive Officer be authorized to sign the fiscal 2022 Financial Statements on behalf of Council.
	5. That Council approve the appointment of PricewaterhouseCoopers LLP, CPAs as the Association's external auditors for the fiscal year ending June 30, 2023.

AUDIT SUB-COMMITTEE PURPOSE

The purpose of the Audit Sub-Committee is to assist Council in fulfilling its oversight responsibilities by reviewing: the financial information which will be provided to the public and others; reviewing the

systems of corporate controls which management and Council have established; and reviewing the external financial audit process.

BACKGROUND

On August 15, 2022, the Audit Sub-committee met with the Engagement Leader of Audit & Assurance of PricewaterhouseCoopers LLP (PwC) to review the Auditor's Report to Audit Sub-committee of Council and the draft audited Financial Statements of the Association, the Foundation, and the Benevolent Fund Society. The review focused on the unqualified audited financial results, notes, and supporting schedules for the fiscal periods ended June 30, 2022 for the Association, the Foundation and the Benevolent Fund Society. The Sub-Committee recommends to the Council, The Foundation Directors, and the Benevolent Fund Society Directors approval of the entities' financial statements.

EXTERNAL AUDIT DISCUSSION

The review with the Auditor included the private discussion on the accounting and other staff of the organization and their co-operation in the external audit of the financial statements. The Audit Sub-committee confirmed to PwC it had no knowledge of fraud or internal control problems in the organization.

The Audit Sub-committee has reviewed and discussed the relevant issues with both the PwC auditors and the Engineers and Geoscientists BC staff. PwC reviewed the following key areas, and found that the financial statements present fairly in accordance with Canadian audit standards and under Canadian accounting standards the results and positions of the entities. Below is the summary of audit findings as reported to the Audit Sub-committee for Council by PwC.

Significant audit, accounting, and financial reporting matters discussed with management	
Matter 1 –Risk of Fraud due to management override of Controls (Significant risk)	There is an inherent risk of fraud as a result of management override of controls as senior management can potentially override controls. This is a required significant risk under auditing standards. **Audit work performed** • PwC understood and evaluated management's assessment of the risk and the overall control environment in place; • PwC obtained a list of journals and tested its completeness • PwC selected and tested journal entries meeting their predetermined risk criteria identified by the engagement team; • PwC tested Executive Officers' expenses: expenses for the year totalled $73k. Using professional judgement, PwC selected a sample of ten expense transactions, verified that the expenses incurred were in accordance with the Associations reimbursement policy and were properly authorized; • PwC incorporated elements of unpredictability into our audit plan by testing a selection of new employees added to the system to verify they are legitimate employees. **There were no exceptions identified from PwC's testing.**

Matter 2 – Risk of fraud in revenue recognition (Significant risk)	Auditing standards dictate that there is an inherent risk of fraud in revenue recognition. PwC have assessed the risk of fraud associated with each material revenue stream and if necessary incorporated additional procedures into their testing plan to ensure that sufficient evidence is obtained over the financial statement line item.
	
	PwC considers the risk to be isolated to the posting of journal entries
	
	Audit work performed
	
	• PwC understood and evaluated internal controls over revenue recognition.
	• PwC tested select journal entries to revenue accounts that met their predetermined risk criteria. Other procedures performed over revenue including
	  ○ Tested a sample of registration fees by tracing to supporting documentation.
	  ○ Assessed that registration fees were appropriately recognized as revenue or deferred.
	  ○ Agreed a sample of grants received during the year to underlying contracts and verified accounting treatment; in particular whether appropriately deferred or recognized as revenue depending on presence of external restrictions.
	  ○ Testing other revenue sources substantively.
	
	There were no exceptions identified from PwC's testing.

Mater 3 – Transfer of financial instruments from the Society to the Foundation (focus area)	The Society is in the process of dissolving and as part of this process, it transferred investments and cash and cash equivalents of over to the Foundation in fiscal 2022. The Society derecognized these financial instruments from its financial statements and reported the other side of the entry within its statement of changes in equity as per the amended guidance in the financial instruments section 3856 of the accounting handbook. The Foundation recognized, on the transfer date, the fair value (which approximates amortized cost) of these financial instruments on its statement of financial position and reported the other side of the entry within its statement of changes in equity. The Society and the Foundation included additional note disclosure pertaining to this transfer in its financial statements. **Audit work performed** • PwC verified that the financial instruments transferred were accounted for appropriately in the Foundation's and the Society's accounts. PwC read and obtained the dissolution and investment transfer documentation from management and from the financial institution, ensuring the transfer was approved by the correct parties, and the amount transferred in the accounts was in line with the agreements. • PwC worked with management to assess accounting treatment considering the amendments to the financial instruments standard that were effective July 1, 2021. PwC also assisted management with note disclosures for both the Society and the Foundation. • PwC assisted management in preparing note disclosure on the above transfer, and also amending note disclosures in the Society's financial statements in light of the planned dissolution and that the Society is not expecting to continue as a going concern in the future. **There were no exceptions identified from PwC's testing.**

Fraud and illegal acts

No fraud involving senior management or employees with a significant role in internal control or that would cause a material misstatement of the financial statements and no illegal acts came to PwC's attention.

PwC confirmed that the Audit Sub-Committee is not aware of any such fraud or illegal acts not previously discussed with them.

Summary of unadjusted and adjusted items

As a result of audits, PwC identified no unadjusted or adjusted items.

Management's representations

PwC is required to inform Audit Sub-Committee of the representations they are requesting from management. A copy of the management representation letter is included.

Significant deficiencies in internal control

PwC have no significant internal control recommendations to report.

Independence

PwC is independent of the Organization, the Foundation and the Society in accordance with the ethical requirements that are relevant to their audit of the financial statements in Canada. PwC has fulfilled their other ethical responsibilities in accordance with these requirements.

Subsequent events

PwC has not identified any subsequent events which would impact the financial statements.

PwC confirmed that the Audit Sub-Committee is not aware of any other subsequent events that might affect the financial statements.

RESERVE FUNDS

One of the important financial best practices that the organization keeps is maintaining reasonable General and Appropriated reserves balances appropriate to their mandate and strategic goals and objectives and anticipated financial needs.

Currently, the Association has 3 main funds as follows:

1. ***General Fund*** –
    a. *Operating Fund* which represents funds used in the general operating and business activities including any extraordinary circumstances that may arise
    b. *Invested in property and equipment* which represents the investment in property and equipment used in those activities.

2. ***Property, equipment and systems replacement fund*** represents an *appropriation* by Council, which serves the long-term objective of setting aside funds each year in a rotational manner to ensure adequate resources are available to replace all property, equipment and systems when required.

3. ***Legal and insurance fund*** which relates to an *appropriation* by Council to set up a legal and insurance reserve to allow for extraordinary cases and situations over and above annual expectations. This allows the Association to be prepared for future realistic contingencies and unanticipated events.

Here is a summary of the change in Net Assets.

Net Assets – End of Year	*General Operating (A)*	*Property, Equipment and Systems Replacement (B)*	*Legal and Insurance (C)*	*Subtotal (A+B+C=D)*	*Invested in Property and Equipment (E)*	Total Net Assets (D+E)
June 30, 2021	6,279,219	1,290,150	500,000	8,069,369	2,668,598	10,737,967
June 30, 2022	9,908,890	2,256,000	1,000,000	13,164,890	2,489,132	15,654,022

Please note that the funds are fluid in that Council has the ability to appropriate funds from one fund to another at any point in time.

General Operating Fund

Reserve amounts really range pending on the risk and exposure posed towards the organization, thus, an appropriate amount of reserves will vary pending on each organization's individualized risk and exposure. As per independent consultant MNP and confirmed by our external auditors PWC,

organizations like Engineers and Geoscientists BC should strive to maintain a reserve of 3-6 months of operating expenses. As at September 2020, Council has set the guideline for the organization to work towards the target of 6 months reserve, with a long horizon of up to 10 years to achieve this target.

With a surplus of $4,916,055 from FY2022, management recommends appropriating $965,850 to the Property, Equipment and Systems Replacement Fund, and $500,000 to the Legal and Insurance Fund. Following these appropriations, $3,450,205 of the FY2022 surplus will remain in the General Operating Fund, bringing the fund to $9,908,890 or equivalent to 4.6 months of operating reserve.

Property, Equipment and Systems Replacement Fund

The current balance, before appropriation, of the Property, Equipment and Systems Replacement Fund is $1,290,150. One of Council's priorities is to maintain the Property, Equipment and Systems Replacement Fund to ensure it is sufficient to address building maintenance and expected major repairs for the longer term as per the Stantec building assessment report completed in 2021.

$256K of building upgrade work (eg. HVAC repairs, roofing system and anchors, heat pumps, elevator doors replacement) is scheduled and budgeted for FY2023.

In addition, as staff adjust to the new working conditions, renovations maybe required to accommodate additional space or more effective use of the current space. Renovations in the past have ranged from $300K to $1M.

It is recommended that $965,850 be appropriated to this fund to increase it to $2,256,000, to prepare for both building repairs ($1.3M) and possible renovations ($700K) to accommodate for immediate & medium-term space needs or new working conditions.

Legal and Insurance Fund

The current balance of the Legal & Insurance fund is $500K. This fund is sufficient to cover the cost of a large unexpected legal case. While the amount of the fund was deemed sufficient in the past, it may not be sufficient going forward given with the addition of Regulation of Firms, there is added risk that there will be an increase of unexpected legal cases. Thus, it is recommended that this fund be increased to $1M so that there are sufficient funds to cover two large unexpected legal cases.

RECOMMENDATIONS

The enclosed PwC Auditors' Report and Financial Statements package and this memo provide the reporting of the Audit Sub-committee's review of the External Audit to Council. The Audit Sub-committee recommends that Council receive and approve the motions presented.

MOTIONS

1. **That Council accept the report of the Audit Sub-committee.**

2. **That Council approve the following appropriation from the unrestricted General Operating Fund effective June 30, 2022:**
   a) $965,850 to the Property, Equipment, and Systems Replacement Fund; and
   b) $500,000 to the Legal and Insurance Fund.

3. **That Council approve the audited Engineers and Geoscientists BC Financial Statements for the fiscal year ended June 30, 2022.**

4. **That the President and the Chief Executive Officer be authorized to sign the fiscal 2022 Financial Statements on behalf of Council.**

5. **That Council approve the appointment of PricewaterhouseCoopers LLP, CPAs as the Association's external auditors for the fiscal year ending June 30, 2023.**

APPENDIX A – Summary of Financial Results 2021/2022

APPENDIX B – Audited Financial Statements

APPENDIX C – Balance Sheet with Descriptions

APPENDIX D – Revenue & Expenditures with Descriptions

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

ITEM 6.1

DATE	September 9, 2022
REPORT TO	Council for Information
FROM	Jennifer Cho, CPA, CGA Chief Financial and Administration Officer Alicia Tan, CPA, CMA Director, Finance
SUBJECT	Summary of Year End Financial Results as at June 30, 2022
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	For Council to review financial results as at June 30, 2022.
Motion	That Council receives the Engineers and Geoscientists British Columbia financial results as at June 30, 2022.

SUMMARY

In this report, we present the Financial Results of Engineers and Geoscientists BC for Fiscal Year (FY) 2022 ended June 30, 2022.

FY2022 ended with a Gross Surplus before Regulation of Firms of $2,693K, or a Net Surplus of $4,916K. An explanation of the results and key variances are explained in the sections below:

A. Compared to FY2022 Budget

B. Compared to latest FY2022 Forecast as presented to Council on Feb 11, 2022

C. Compared to FY2021 Actual

More detailed variance reports are attached as Appendix A, B and C. In addition, a comparison of FY2022 and FY2021 Balance Sheet is attached as Appendix D.

FY2022 Actual versus Budget

	Table 1	A	B	C*
(in '000's)		FY2022 Actual	FY2022 Budget	Var - actual vs budget
	Summary			
1	Revenue	21,063	19,137	1,925
2	Salaries and Benefits	10,962	11,506	545
3	Expenditures	7,649	7,613	(35)
4=(1-2-3)	Surplus (Deficit) Before Grants, External Projects, RoF	2,452	18	2,435
5	Surplus (Deficit) from Grants	241	141	100
6=(4+5)	Surplus (Deficit) Before Regulation of Firms (RoF)	2,693	159	2,534
7	Surplus (Deficit) from RoF	2,223	(159)	2,382
8=(6+7)	**Surplus (Deficit)**	**4,916**	**0**	**4,916**

* Positive figures add to the surplus and negative figures reduce surplus.

Compared to FY2022 Budget, FY2022 ended with a net surplus of $4,916K which is $4,916K (C8) better than budgeted. Here is a summary of the major variances (in '000's):

REGISTRANT FEES & OTHER REVENUES

Year-to-date total revenue is $1,925K (cell C1) higher than budget, primarily due to:

- higher than expected registration and application volume
- higher volume of professional development and annual conference attendees for virtual events than expected,
- higher revenue in academic examination due to new offering of virtual exams to other Canadian jurisdictions, and
- higher than expected employment advertising revenue
- higher than expected number of registrants paying penalty late fees

EXPENDITURES

Year-to-date total operating expenditure is $510K (cell C2 and C3) lower than budget primarily due to:

- lower salaries and benefits expenses by $545K mainly due to vacancies,
- less meeting and travel expenses as events are held virtually or cancelled due to extension of COVID-19 restrictions beyond original expectation,
- lower overall contract services due to timing of projects and expenses,
- offset by higher legal expenses due to higher volume and complexities of cases,

A more detailed variance report is outlined in **Appendix A**.

FY2022 Actual versus Latest Forecast

	Table 2	A	B	C*
		FY2022 Actual	FY2022 Latest Forecast	Var - actual vs forecast
	Summary			
1	Revenue	21,063	20,683	380
2	Salaries and Benefits	10,962	11,145	184
3	Expenditures	7,649	7,754	105
4=(1-2-3)	Surplus (Deficit) Before Grants, External Projects, RoF	2,452	1,784	668
5	Surplus (Deficit) from Grants	241	83	157
6=(4+5)	Surplus (Deficit) Before Regulation of Firms (RoF)	2,693	1,867	826
7	Surplus (Deficit) from RoF	2,223	2,310	(87)
8=(6+7)	**Surplus (Deficit)**	**4,916**	**4,178**	**738**

* Positive figures add to the surplus and negative figures reduce surplus.

The financial result as at end of June 30, 2022 before RoF ended with a full year surplus of $2,693K (A6), compared to a forecasted surplus of $1,867K (B6). Here is a summary of the major variances (in '000's):

REGISTRANT FEES & OTHER REVENUES

Year-to-date total revenue is $380K (cell C1) higher than forecast, primarily due to:

- higher revenue related to professional development and affinity program
- higher registration, application, and exams revenues
- higher employment advertising revenue
- higher than expected investment revenue and registrant late fee revenue
- offset by lower than expected registrant revenue

EXPENDITURES

Year-to-date total operating expenditure is $289K (cell C2 and C3) below forecast primarily due to:

- lower salaries and benefits expenses by $184K due to vacancies
- less meetings, events and travel expenses due to COVID-19 as events are held virtually or cancelled
- offset by higher legal expenses due to higher volume and complexities of cases, and
- higher office supplies, sanitation programs, building maintenance and repairs for office re-opening

A more detailed variance report is outlined in **Appendix B.**

FY2022 Actuals versus FY2021 Actuals

This update includes a comparison of FY2022 full year actual results to FY2021 full year actual, with a summary of major variances (in '000's).

	Table 3	**A**	**B**	**C***
		FY2022 Actual	FY2021 Actual	Var - actual vs last year
	Summary			
1	Revenue	21,063	19,038	2,025
2	Salaries and Benefits	10,962	10,375	(587)
3	Expenditures	7,649	7,336	(313)
4=(1-2-3)	Surplus (Deficit) Before Grants, External Projects, RoF	2,452	1,327	1,125
5	Surplus (Deficit) from Grants	241	97	144
6=(4+5)	Surplus (Deficit) Before Regulation of Firms (RoF)	2,693	1,423	1,270
7	Surplus (Deficit) from RoF	2,223	(1,188)	3,411
8=(6+7)	**Surplus (Deficit)**	**4,916**	**235**	**4,681**

* Positive figures add to the surplus and negative figures reduce surplus.

The financial result as at end of June 30, 2022 before RoF ended with a full year surplus of $2,693K (A6) compared to a surplus for the same period of $1,423K (B6).

REGISTRANT FEES & OTHER REVENUES

Year-to-date total revenue is $2,025K (cell C1) higher than last year, primarily due to:

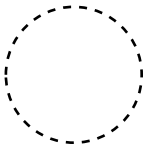
- Larger membership base and increased registrant fees
- higher level of registration and application volume
- higher enrolment of professional development and annual conference attendees for virtual events
- higher number of professional and academic examination taken
- higher employment advertising revenues

EXPENDITURES

Year-to-date total operating expenditure is $900K (cell C2 and C3) higher than last year primarily due to:

- higher salaries and benefits expenses by $587K due to vacancies filled and merit increase
- higher legal expenses due to higher volume and complexities of cases
- higher spending in office supplies, building operation and maintenance for office re-opening
- offset by less meetings and travel expenses due to COVID-19 as events are held virtually or cancelled.

A more detailed variance report is outlined in **Appendix C**.



MOTION

That Council receives the Engineers and Geoscientists British Columbia financial results as at June 30, 2022.

APPENDIX A – FY2022 Actual versus FY2022 Budget

APPENDIX B – FY2022 Actual versus FY2022 Forecast

APPENDIX C – FY2022 Actual versus FY2021 Actual

APPENDIX D – Balance Sheet FY2022 versus FY2021

APPENDIX A – FY2022 ACTUAL VERSUS FY2022 BUDGET

		A	B	C*	D
		FY2022 Actual	FY2022 Budget	Variance	Comments
	REVENUE				
1	Registrant and Trainee Fees	14,836	14,581	255	Larger than expected member base and higher volume of new applicants
2	Application, registration and certification fees	2,072	1,599	473	Higher than expected registration/application volume
3	Professional and academic examinations	967	617	350	Higher than expected PPE and academic exams taken
4	Affinity Programs	478	408	71	Higher than expected affinity program revenue
5	Annual conference	292	162	130	Higher than expected volume of annual conference attendees
6	Advertising, LEC recoveries and other	1,165	786	379	More than expected employment advertising revenue
7	Professional Development Revenue	1,252	985	268	Higher than expected uptake of virtual offerings
8	**TOTAL REVENUE**	**21,063**	**19,137**	**1,925**	
	SALARIES AND EXPENSES				
9	Salaries and Employee Benefits	10,962	11,506	545	Due to vacancies not filled
10	Office general, contract services, and amortization	4,999	5,030	31	Timing of project and spend across organization
11	Legal	1,377	728	(649)	Due to increased volume and complexity of LEC disciplinary cases
12	Premises and operating costs	445	384	(61)	Due to increased building maintenance and repair cost for office re-opening
13	Events, travel and other	827	1,471	644	Less meeting, events and travelling due to extended COVID-19 restrictions
14	**Total salaries and Expenses before Grants and RoF**	**18,611**	**19,120**	**509**	
15=(8-14)	**Surplus Before Grants and RoF**	**2,452**	**18**	**2,435**	
16	**Surplus (Deficit) from Grants and External Projects**	**241**	**141**	**100**	Timing of grant progress
17=(15+16)	**Surplus Before RoF**	**2,693**	**159**	**2,534**	
18	**Surplus (Deficit) from RoF**	**2,223**	**(159)**	**2,382**	Significantly higher than expected number of firms registering in the first year
19=(17+18)	**Total Surplus (Deficit)**	**4,916**	**0**	**4,916**	

* Positive variances add to the surplus and negative variances reduce surplus.

APPENDIX B – FY2022 ACTUAL VERSUS FORECAST

		A	B	C*	D
		FY2022 Actual	FY2022 Forecast	Variance	Comments
	REVENUE				
1	Registrant and Trainee Fees	14,836	14,983	(147)	Lower than expected reinstatement
2	Application, registration and certification fees	2,072	1,910	162	Higher application volume
3	Professional and academic examinations	967	957	10	
4	Affinity Programs	478	408	71	Higher than expected affinity revenue
5	Annual Conference	292	292	(0)	
6	Advertising, LEC Recoveries and other	1,165	969	197	Mainly due to higher employment advertising revenue
7	Professional Development Revenue	1,252	1,165	87	More than expected attendees for the virtual offerings
8	**TOTAL REVENUE**	**21,063**	**20,683**	**380**	
	SALARIES AND EXPENSES				
9	Salaries and Employee Benefits	10,962	11,145	184	Mainly due to vacancies not filled
10	Office general, contract services, and amortization	4,999	5,309	310	Due to delay of projects and spend across organization
11	Legal	1,377	1,159	(218)	More than expected legal cases and complexity
12	Premises and operating costs	445	383	(63)	Due to more building maintenance and repairs cost for the office reopening
13	Events, travel and other	827	903	76	Less meeting, events and travelling due to COVID-19
14	**Total salaries and Expenses before Grants and RoF**	**18,611**	**18,899**	**289**	
15=(8-14)	**Surplus Before Grants and RoF**	**2,452**	**1,784**	**668**	
16	**Surplus (Deficit) from Grants and External Projects**	**241**	**83**	**157**	Timing of grant progress
17=(15+16)	**Surplus Before RoF**	**2,693**	**1,867**	**826**	
18	**Surplus (Deficit) from RoF**	**2,223**	**2,310**	**(87)**	Lower than expected firms end up registering in the first year
19=(17+18)	**Total Surplus (Deficit)**	**4,916**	**4,178**	**738**	

* Positive variances add to the surplus and negative variances reduce surplus.

APPENDIX C - FY2022 ACTUAL VERSUS FY2021 ACTUAL

		A	B	C*	D
		FY2022 Actual	FY2021 Actual	Variance	Comments
	REVENUE				
1	Registrant and Trainee Fees	14,836	13,989	846	Due to larger member base and increased registrant fees
2	Application, registration and certification fees	2,072	1,745	327	Higher level of registration/application volume
3	Professional and academic examinations	967	625	343	Higher volume in exam candidates
4	Affinity Programs	478	450	29	
5	Annual Conference	292	161	131	Higher volume of annual conference attendees
6	Advertising, LEC Recoveries and other	1,165	929	237	Mainly due to higher employment advertising revenue
7	Professional Development Revenue	1,252	1,139	114	Higher level of attendees of the PD virtual offering
9	**TOTAL REVENUE**	**21,063**	**19,038**	**2,025**	
	SALARIES AND EXPENSES				
10	Salaries and Employee Benefits	10,962	10,375	(587)	Due to vacancies filled and merit increase
11	Office general, contract services, and amortization	4,999	5,024	25	
12	Legal	1,377	1,410	33	
13	Premises and operating costs	445	371	(74)	Due to more building maintenance and repairs cost for the office reopening
14	Events, travel and other	827	530	(297)	Essentially no in-person meetings and events and travelling last year due to COVID-19
15=(10-14)	**Total salaries and Expenses before Grants and RoF**	**18,611**	**17,711**	**(900)**	
16	**Surplus Before Grants and RoF**	**2,452**	**1,327**	**1,125**	
17	**Surplus (Deficit) from Grants and External Projects**	**241**	**97**	**144**	Timing of grant progress
18=(16+17)	**Surplus Before RoF**	**2,693**	**1,423**	**1,270**	
19	**Surplus (Deficit) from RoF**	**2,223**	**(1,188)**	**3,411**	Due to firm registration starting in FY2022
20=(18+19)	**Total Surplus (Deficit)**	**4,916**	**235**	**4,681**	

* Positive variances add to the surplus and negative variances reduce surplus.

APPENDIX D – BALANCE SHEET FY2022 VERSUS FY2021

		A	B	C	D
		2022	2021	Variance	Variance Comments
	Assets				
	Current assets				
1	Cash and cash equivalents	3,252	1,683	1,569	Due to timing of payment
2	Short-term investments	22,358	17,085	5,273	More funds were invested in short term investments mainly in GIC and T-bills
3	Interest receivable	56	5	50	Lower interest rate compared with prior year
4	Accounts receivable	886	1,096	(210)	AR decreased due to lower receivable on grant projects, support services and legal settlement
5	Prepaid expenses	389	471	(83)	Due to timing of prepaid items related to building maintenance, annual conference and professional development services
6	Inventory	6	14	(8)	
7	**Total Current Assets**	26,945	20,354	6,591	
8	**Intangible assets**	369	315	53	Due to higher capitalization of in-house IT software
9	**Property and equipment**	2,120	2,353	(233)	Due to lower capital spending
10=7+8+9	**Total Assets**	29,434	23,023	6,412	
	Liabilities and Net Assets				
	Current liabilities				
11	Accounts payable and accrued liabilities	1,637	1,892	(255)	Due to timing of payment
12	Deferred fees	10,240	7,314	3,050	Increase due to membership growth
13	Deferred contributions and other deferred revenue	1,904	1,795	(15)	
14	Long-term Loans	-	1,284	(1,284)	Line of credit paid off for Regulation of Firms program
15	**Total Current Liabilities**	13,780	12,285	1,496	
	Net assets				
	General fund				
16	Invested in property and equipment and intangible assets	2,489	2,669	(179)	
17	Operating	9,909	6,279	3,630	Approximately 4.5 months of operating reserve towards 6 months target
18	Property, equipment and systems replacement fund	2,256	1,290	966	Proposed increase for future building maintenance
19	Legal and insurance fund	1,000	500	500	Proposed increase to allow for files related to firms
20	**Total Net Assets**	15,654	10,738	4,916	Difference is the net result of current year's operating surplus
21=15+20	**Total Liabilities and Net Assets**	29,434	23,023	6,412	

The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Non-consolidated Financial Statements
June 30, 2022

DRAFT

FOR DISCUSSION WITH MANAGEMENT ONLY – SUBJECT TO AMENDMENT
NOT TO BE FURTHER COMMUNICATED

The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Non-consolidated Balance Sheet

As at June 30, 2022

	2022 $	2021 $
Assets		
Current assets		
Cash and cash equivalents (note 3)	3,251,516	1,682,861
Short-term investments (note 4)	22,357,815	17,085,203
Interest receivable	55,512	5,398
Accounts receivable (note 5)	885,964	1,095,736
Prepaid expenses	388,827	471,344
Inventory	5,689	13,574
	26,945,323	20,354,116
Intangible assets (note 6)	368,674	315,315
Property and equipment (note 7)	2,120,458	2,353,284
	29,434,455	23,022,715
Liabilities and Net Assets		
Current liabilities		
Accounts payable and accrued liabilities	1,636,972	1,896,286
Deferred contributions and other deferred revenues (note 8)	1,903,947	1,794,746
Deferred fees (note 9)	10,239,514	7,313,801
Line of credit (note 10)	-	1,283,914
	13,780,433	12,289,748
Net assets (note 2)		
General fund		
Invested in property and equipment and intangible assets	2,489,132	2,668,598
Operating	9,908,890	6,279,219
Property, equipment and systems replacement fund	2,256,000	1,290,150
Legal and insurance fund	1,000,000	500,000
	15,654,022	10,737967
	29,434,455	23,022,715

Commitments (note 11)

Approved on Behalf of the Council

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The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Non-consolidated Statement of Revenue and Expenses

For the year ended June 30, 2022

	2022 $	2021 $
Revenue		
Fees		
Annual registrant fees – Individual	14,835,854	13,989,391
Annual registrant fees - Firms	2,484,859	
Application, registration and certification fees	3,468,924	1,761,452
Professional and academic examinations	967,045	624,500
	21,756,682	16,375,343
Other revenue		
Affinity programs	478,136	449,552
Annual conference	291,990	161,356
Grant and project administration	1,267,787	1,631,082
Innovation magazine and other advertising	732,982	499,391
Investment income	75,762	55,726
Miscellaneous (note 15)	362,881	391,909
Organization quality management	-	222,183
Professional development	1,246,296	1,130,409
	4,455,834	4,541,608
Total revenue	26,212,516	20,916,951
Expenses		
Advertising	35,593	31,217
Annual conference – facilities and meals	131,532	1,905
Contract and consulting services	2,570,237	2,882,435
Contract and consulting services on grants	920,616	1,426,168
Engineers Canada assessment	336,649	325,015
Examinations and examination books	395,855	241,746
Geoscientists Canada assessment	93,820	84,252
Grants and awards	87,362	54,019
Innovation magazine printing	119,957	118,139
Legal	1,225,167	1,411,448
Meetings, seminar room rentals and special events	134,922	26,858
Office, general and miscellaneous (note 16)	1,376,819	1,163,042
Premises and operating costs	403,038	379,015
Printing, publication and distribution costs	315,427	313,661
Salaries and employee benefits	12,286,904	11,436,165
Secondary professional liability insurance premiums	161,774	146,216
Telecommunications	70,502	69,323
Travel	58,093	5,563
Total expenses before amortization	20,724,267	20,116,187
Excess of revenue over expenses before amortization	5,488,249	800,764
Amortization		
Intangible assets	202,722	135,728
Property and equipment	369,473	429,642
Total amortization	572,195	565,370
Excess of revenue over expenses for the year	4,916,054	235,394

FOR DISCUSSION WITH MANAGEMENT ONLY – SUBJECT TO AMENDMENT
NOT TO BE FURTHER COMMUNICATED

The accompanying notes are an integral part of these non-consolidated financial statements.

The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Non-consolidated Statement of Changes in Net Assets

For the year ended June 30, 2022

	General Fund				2022	2021
	Invested in property and equipment and intangible assets $	Operating $	Property, equipment and systems replacement fund $	Legal and insurance fund $	Total $	Total $
Net assets – Beginning of year	2,668,598	6,279,219	1,290,150	500,000	10,737,967	10,502,573
Excess of revenue over expenses for the year	(572,195)	4,022,399	965,850	500,000	4,916,055	235,394
Investment in intangible assets	256,080	(256,080)	-	-	-	-
Investment in property and equipment	136,649	(136,648)	-	-	-	-
Net assets – End of year	2,489,132	9,908,890	2,256,000	1,000,000	15,654,022	10,737,967

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The accompanying notes are an integral part of these non-consolidated financial statements.

The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Non-consolidated Statement of Cash Flows

For the year ended June 30, 2022

	2022 $	2021 $
Cash provided by (used in)		
Operating activities		
Excess of revenue over expenses for the year	4,916,054	235,394
Item not affecting cash		
Amortization of property and equipment and intangible assets	572,195	565,370
	5,488,249	800,764
Change in working capital accounts (note 17)	3,029,659	239,893
	8,517,908	1,040,657
Investing activities		
Investment in intangible assets	(256,080)	(262,907)
Investment in property and equipment	(136,648)	(5,786)
Proceeds on redemption and sale of investments	32,131,879	25,393,332
Purchase of investments	(37,404,490)	(27,722,806)
	(5,665,339)	(2,598,167)
Financing activities		
Proceeds from line of credit	-	1,283,914
Repayments of line of credit	(1,283,914)	-
	1,568,655	
Change in cash and cash equivalents		(273,595)
Cash and cash equivalents – Beginning of year	1,682,861	1,956,456
Cash and cash equivalents – End of year	3,251,516	1,682,861

The accompanying notes are an integral part of these non-consolidated financial statements.

FOR DISCUSSION WITH MANAGEMENT ONLY – SUBJECT TO AMENDMENT
NOT TO BE FURTHER COMMUNICATED

The Association of Professional Engineers and Geoscientists of the Province of British Columbia

Notes to Non-consolidated Financial Statements

June 30, 2022

1 Mandate

The Association of Professional Engineers and Geoscientists of the Province of British Columbia doing business as Engineers and Geoscientists British Columbia (the Association) is incorporated under the provisions of the *Professional Governance Act*. The Association's mandate is to protect public safety, health and well-being through the application of engineering and geoscience, as well as to ensure the responsible self-governance and vitality of the professions.

The Association is a tax exempt organization as described in the *Income Tax Act (Canada)* and as such is exempt from federal and provincial income taxes.

2 Significant accounting policies

These non-consolidated financial statements include the financial activities of the Association exclusive of the net assets of Engineers and Geoscientists BC Foundation, Engineers and Geoscientists BC Benevolent Fund Society and registrant-supported branches and divisions (note 13).

Basis of accounting

The non-consolidated financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations.

Net assets

The "General fund" comprises two components. "Operating" represents funds used in the general operating and business activities, including any extraordinary circumstances that may arise, and "Invested in property and equipment and intangible assets" represents the investment in property and equipment and intangible assets used in those activities.

The "Property, equipment and systems replacement fund" represents an appropriation by Council, which serves the long-term objective of setting aside funds to replace and improve property, equipment and systems when required. Any repairs, maintenance and improvement associated with the building are deducted from this fund. Council reviews the method and the amount appropriated to ensure that the appropriation provides a reasonable basis for property, equipment and systems replacement. All repairs, maintenance and improvement deducted from the fund and property, equipment and systems acquisitions are approved by Council as part of the annual budgeting process.

The "Legal and insurance fund" relates to an appropriation by Council to set up a legal and insurance reserve to allow for extraordinary cases and situations over and above annual expectations. This allows the Association to be prepared for future contingencies. The amount appropriated for legal and insurance is reviewed by Council annually.

Managing capital

The Association defines its capital as the amount included in its net asset balances. The Association's objective when managing its capital is to safeguard its ability to continue as a going concern so that it can continue to fulfill its mandate as described in note 1. While there are no external restrictions on any of the net assets, Council has appropriated certain of the funds for specific purposes as described in net assets.

General fund

As at June 30, 2022, the General fund comprises amounts that are either invested in property and equipment and intangible assets or are available for future operating activities, including extraordinary circumstances that may arise. Council has set a target of six months operating expenses, to be held in the "Operating" net asset fund as a general reserve given the stability of annual registration fee revenues and the Association's ability to access a pre-approved line of credit.

Appropriated funds

The Appropriated funds comprise the property, equipment and systems replacement fund and the legal and insurance fund. Council approved an increase of $500,000 in the legal and insurance fund to allow for additional cases related to new mandate of regulating firms. It is estimated that this fund will cover two consecutive years of extraordinary legal and/or insurance costs.

Revenue recognition and deferred fees

The Association follows the deferral method of accounting for contributions. Restricted contributions are deferred and recorded as revenue in the period in which the expense has been incurred. Annual fees and other revenues that are received, but for which services have not yet been performed, are reported as deferred revenue. Registration and other fees are billed and received in advance on a calendar-year basis. Accordingly, a portion of these fees received prior to June 30, 2022 has been deferred for financial reporting purposes and will be recognized as revenue when services are rendered.

The Association enters into certain contracts for which it subcontracts the required services. These contracts are accounted for using the deferral method of accounting.

All other revenues are recognized when earned if the amount to be received can be reasonably estimated and collectability is reasonably assured.

Amortization

Amortization is recorded by using the following annual rates calculated on a straight-line basis:

Building	3.3%
Intangible assets (software and development)	33.3%
Computer	10% – 33.3%
Electronic equipment	20%
Furniture, fixtures and office improvements	10%

Donated services

The Association and its registrants benefit from donated services in the form of volunteer time for various committees. Donated services are not recognized in these non-consolidated financial statements.

Cash and cash equivalents

Cash and cash equivalents consist of cash on deposit and high interest savings accounts with banks.

Financial instruments

The Association's financial instruments consist of cash and cash equivalents, investments, interest receivable, accounts receivable and accounts payable and accrued liabilities. Financial instruments are initially measured at fair value and subsequently carried at cost, with the exception of investments comprising guaranteed investment certificates and treasury bills, which are carried at amortized cost. Interest income is recognized over the lives of the instruments using the effective interest method.

With respect to financial assets measured at cost or amortized cost, the Association recognizes in the non-consolidated statement of revenue and expenses an impairment loss, if any, when it determines that a significant adverse change has occurred during the period in the expected timing or amount of future cash flows.

Inventory

Inventory relates to exam books. Inventory is recorded at the lower of cost and net realizable value. Cost is determined on a specific item, actual cost basis.

Controlled funds

a) Engineers and Geoscientists BC Foundation (the Foundation)

The Foundation provides financial support to fund, facilitate and promote activities and programs related to education in engineering and geoscience. The Foundation was incorporated on May 11, 1993 under the *Societies Act of British Columbia* and is a registered charity under the *Income Tax Act*.

The Association controls the operations of the Foundation through its ability to appoint the Directors, who direct all activities of the Foundation. The Association does not consolidate the financial results of the Foundation.

b) Engineers and Geoscientists BC Benevolent Fund Society (the Society)

The Society provides financial assistance to registrants of the Association and their dependents who qualify for the assistance. The Society was incorporated on November 1, 2010 under the *Societies Act of British Columbia* and is a registered charity under the *Income Tax Act*.

The Association controls the operations of the Society through its ability to appoint the Directors, who direct all activities of the Society. The Association does not consolidate the financial results of the Society.

c) Registrant-supported branches and divisions

The registrant-supported branches and divisions provide local support to the registrants of the Association throughout the region of British Columbia. The registrant-supported branches and divisions are unincorporated entities.

The Association controls the operations of the registrant-supported branches and divisions as it holds a significant economic interest and shares complementary objectives with the registrant-supported branches and divisions. The Association does not consolidate the financial results of the registrant-supported branches and divisions. Bank accounts and cash flows for all registrant-supported branches and divisions are managed and recorded by the Association's Finance department.

Financial information for the controlled funds is provided in note 13.

Use of estimates

The preparation of non-consolidated financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the non-consolidated financial statements and revenue and expenses during the year. Areas requiring the use of estimates relate to determining the useful lives of property and equipment and the amount of registration fees received in advance to be deferred. Financial results, as determined by actual events, may differ materially from those estimates.

New and amended accounting policies

On April 1, 2021, the Association adopted amendments to Accounting Standards for Private Enterprises Section 3856 – Financial Instruments. The adoption of the amendments did not materially impact the Association's non-consolidated financial statements.

3 Cash and cash equivalents

	2022 $	2021 $
Cash on hand	2,863,437	1,296,067
High interest savings accounts	388,077	386,794
	3,251,514	1,682,861

The Association has access to a pre-approved line of credit, secured by the building and land, with a limit of $500,000, of which $nil was drawn on at year-end (2021 – $nil).

4 Short-term investments

	2022 $	2021 $
Guaranteed investment certificates	992,789	1,202,642
Government of Canada treasury bills	21,365,026	15,882,561
	22,357,815	17,085,203

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5 Accounts receivable

	2022 $	2021 $
Government grants	229,167	384,167
Receivables from registrants	6,691	214,514
Project grants (other associations)	134,051	119,308
Other support services	146,751	193,038
Pan-Canadian academic exams	213,095	-
Innovation magazine	51,825	52,922
Due from Geoscientists Canada	-	720
GST	39,420	49,297
Other	64,964	81,770
	885,964	1,095,736

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6 Intangible assets

	Cost $	Accumulated amortization $	2022 Net $	2021 Net $
Internally generated software	1,000,309	631,635	368,674	315,315

7 Property and equipment

	Cost $	Accumulated amortization $	2022 Net $	2021 Net $
Land	874,011	-	874,011	874,011
Building	3,251,166	2,926,262	324,904	433,206
Computer	206,480	135,853	70,627	28,016
Electronic equipment	316,928	276,392	40,536	66,071
Furniture, fixtures and office improvements	2,006,924	1,196,544	810,380	951,980
	6,655,509	4,535,051	2,120,458	2,353,284

8 Deferred contributions and other deferred revenues

	External grants $	Other deferred revenue $	Total $
Deferred contributions and other deferred revenues– Beginning of year	1,302,848	491,898	1,794,746
Amounts received	1,154,417	3,216,023	4,370,440
Amounts recognized as revenue	(1,031,575)	(3,229,665)	(4,261,240)
Deferred contributions and other deferred revenues– End of year	1,425,690	478,256	1,903,946

9 Deferred fees

	2022 $	2021 $
Professional Engineers and Geoscientists registrant fees	6,252,024	5,919,360
Engineer and Geoscientist-in-training fees	1,169,336	1,171,497
Limited licence	66,000	57,530
Student programs	40,113	41,059
Continuing Education late fee	38,200	-
Firms registrant fees	2,673,841	124,355
	10,239,514	7,313,801

10 Line of credit

The Association entered into a revolving credit facility (the facility) agreement with the Canadian Imperial Bank of Commerce (CIBC) on March 4, 2020. The total credit limit available under the facility was $2,500,000 and all amounts were repayable on demand. The balance under the facility is $nil as at June 30, 2022 (2021 – $1,283,914). During fiscal 2022, the balance was fully repaid and the facility was closed.

11 Commitments

The Association has operating lease commitments for office equipment for the next two years requiring the following minimum payments:

	$
2023	61,426
2024	61,426
	122,852

12 Defined contribution plan

The Association has established a defined contribution plan for its employees, under which employees contribute 5% of their qualifying gross earnings and the Association contributes 7.85% of qualifying employees' gross earnings. Defined contribution plan expense for the year was $688,507 (2021 – $648,406).

13 Controlled funds

The Association controls the operations and provides accounting and administration services to the Benevolent Fund Society, the Foundation and registrant-supported branches and divisions. The Benevolent Fund Society is in the process of dissolving and as a result, its financial statements for June 30, 2022 have not been prepared on a going concern basis. The results and net assets of these operations are not consolidated in the non-consolidated financial statements of the Association.

Summary financial information on each of the controlled funds is as follows:

	2022 $	2021 $
Benevolent Fund Society		
Total assets	38,248	359,222
Total liabilities	6,000	6,829
Net assets	32,248	352,393
Revenue – contributions and investment income	4651	40,784
Expenses and grants	30,484	20,364
Cash flows from operating activities	(24,432)	26,276
Cash flows from investing activities	(98,028)	23,601
Foundation		
Total assets	1,312,343	875,796
Total liabilities	190,716	193,085
Net assets	1,121,627	682,711
Revenue – contributions and investment income	233,720	99,561
Expenses and grants	89,026	57,351
Cash flows from operating activities	133,863	73,257
Cash flows from investing activities	(32,694)	(12,465)

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14 Registrant supported branches and divisions

The Association has a number of special interest divisions that allow registrants with common technical backgrounds or other interests to share and disseminate information and to review and develop policy in that area.

All the Association registrants are assigned to one of the 20 regional branches and divisions. Branches are led by an executive group composed of volunteers who serve as the registrants' regional representatives and link back to the Association leadership.

	2022 $	2021 $
Branches and divisions		
Total assets	390,412	385,206
Total liabilities	17,780	11,304
Net assets	372,632	373,902
Revenue	45,299	145,037
Expenses	46,568	30,997
Cash flows from operating activities	(1,269)	113,840

15 Financial instruments and risk management

Currency risk

Currency risk is the risk that the value of a financial instrument will fluctuate due to changes in foreign exchange rates. The Association is not exposed to significant currency risk.

Interest rate risk

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates. The Association is exposed to interest rate risk on short-term deposits and investments. Management frequently reviews the interest rates to mitigate risk and uses professional investment management services.

Market risk and other price risk

Market risk and other price risk is the risk that the value of a financial instrument will fluctuate as a result of changes in market prices. The Association is not exposed to significant market risk and other price risk.

Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur financial loss. The Association does not have a significant concentration of credit risk in any single party or group of parties. Accounts receivable are due primarily from the government.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in raising funds to meet commitments associated with financial instruments. The Association is not exposed to significant liquidity risk.

There have not been any significant changes in risk exposure from prior years.

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16 Miscellaneous revenue

	2022 $	2021 $
Discipline recoveries	120,865	171,750
Other	36,065	44,295
Return to Practice/Reinstatement	59,200	63,750
Notarius service fee	146,751	112,114
	362,881	391,909

17 Office, general and miscellaneous

	2022 $	2021 $
Bank and credit card processing fees	631,154	449,689
Office and general (office supplies, storage, training and regalia)	410,498	377,958
Information technology licensing	63,479	246,747
Insurance	104,831	47,584
Dues and subscriptions	35,514	28,077
Other	131,343	12,987
	1,376,818	1,163,042

18 Supplemental cash flow information

	2022 $	2021 $
Changes in working capital accounts		
Accounts receivable	209,772	(183,142)
Interest receivable	(50,114)	65,185
Prepaid expenses	82,517	(121,446)
Inventory	7,886	-
Accounts payable and accrued liabilities	(255,314)	(122,825)
Deferred fees	3,050,067	267,433
Deferred contributions and other deferred revenues	(15,155)	334,688
	3,029,659	239,893

19 Comparative figures

Certain comparative figures have been reclassified to conform with current year presentation.

Engineers and Geoscientists British Columbia				
Balance Sheet				
Assets	**2022**	**2021**	**$ changes**	
Current assets				
Cash and cash equivalents	3,251,514	1,682,861	1,568,653	Cash and cash equivalents
Short-term investments	22,357,815	17,085,203	5,272,612	Short-term investments such as T-bills and GICs.
Interest receivable	55,512	5,398	50,114	Interest receivable from investments
Accounts receivable	885,965	1,095,736	(209,771)	Project receivable, GST ITC receivable and CCPG receivable
Prepaid expenses	388,827	471,344	(82,517)	(1) Software licenses (2) Annual Conference deposits/prepayments (3) Insurance (4) Property tax
Inventory	5,689	13,574	(7,885)	Exam text books
Total Current Assets	26,945,322	20,354,116	6,591,206	
Intangible assets	368,674	315,315	53,359	Internally developed IT software
Property and equipment	2,120,458	2,353,284	(232,826)	Building, land, furniture fixtures, electronics and computer items
Total Assets	29,434,454	23,022,715	6,411,739	
Liabilities and Net Assets				
Current liabilities				
Accounts payable and accrued liabilities	1,636,972	1,892,286	(255,314)	(1) Trade accounts payable (2) Vacation payable (3) Accrued liabilities
Deferred fees	10,239,514	7,313,801	2,925,713	(1) Members (2) EIT/GIT (3) Reduced Fee (4) NRL & LL (5) Firms (6) Student membership
Deferred contributions and other deferred revenue	1,903,946	1,794,746	109,200	(1) Conference sponsors (2) Exam unearned (3) CPD seminar unearned (4) Advertising unearned revenue (5) Unearned CBA & grants revenue
Long-term Loans	-	1,283,914	(1,283,914)	Line of credit facility for Regulation of Firms program
Total Current Liabilities	13,780,432	12,284,747	1,495,685	
Net assets				
General fund				
Invested in property and equipment and intangible assets	2,489,132	2,668,598	(179,466)	
Operating	9,908,890	6,279,219	3,629,671	
Property, equipment and systems replacement fund	2,256,000	1,290,150	965,850	
Legal and insurance fund	1,000,000	500,000	500,000	
Total Net Assets	15,654,022	10,737,967	4,916,055	
Total Liabilities and Net Assets	29,434,454	23,022,714	6,411,740	

Engineers and Geoscientists British Columbia				
Statement of Revenue and Expenses				
	2022	**2021**	**$ changes**	
Revenue				
Fees				
Registrant fees - Individual	14,835,854	13,979,591	13,989,391	(1) Annual Registrant and Trainee fees for individual (2) Interim Registrant and Trainee fees for individual
Registrant fees - Firm	2,484,859	9,800	9,800	(1) Annual Registrant fees for firm and sole practitioners (2) Interim Registrant fees for firm and sole practitioners
Application, registration and certification Fees	3,468,924	1,761,452	1,761,452	(1) Examination of credentials (2) Administration/certificate fee (3) Transfer fee (4) SER application fee (5) Limited license application fee/job interview (6) Stamp and seal and certificate revenue (7) Certified professional program (8) Structural qualifications (9) Reinstatement/Return to Practice (10) Application fee for firm and training fee for firm
Professional and academic examinations	967,045	624,500	624,500	(1) Professional Practice Exam (2) Academic Exam - BC (3) Academic Exam - Pan-Canadian (4) IStructE/SER Exams (2021 only), and (5) Professional Practice Exams Book Sales
Total Fees	**21,756,682**	**16,375,343**	**5,381,339**	
Other revenue				
Affinity programs	478,136	449,552	28,584	Affinity program rebates (Manulife, Marsh, Northbridge)
Annual conference	291,990	161,356	130,634	(1) Attendees (2) Sponsor Revenue
Grant and project administration	1,267,787	1,631,082	(363,295)	Seismic Mitigation Program, SRG Expansion Project, Seismic Assessment and Seismic Design of Dikes, Seismic Microzonation Project and CBA Engineer Canada Program
Innovation magazine and other advertising	732,982	499,391	233,591	(1) Magazine advertising revenue (2) Web advertising revenue
Investment Income	75,762	55,726	20,036	Interest earned on investments
Professional development	1,246,296	1,130,409	115,887	(1) Professional Development Events and Webinar Revenues (2) Student program Sponsor Revenue
Other and Miscellaneous Revenue	362,881	614,092	(251,211)	(1) Advertising revenue (2) Late fees for individual and firm (3) Notarious (4) OQM (2021 only)
Total Other Revenue	**4,455,834**	**4,541,608**	**(85,774)**	
Total Revenue	**26,212,516**	**20,916,951**	**5,295,565**	
Expenses				
Advertising	35,593	31,217	(4,376)	(1) Communications dept. - public/government relations, student programs (2) LEC dept. - discipline and enforcement advertising
Annual conference - facilities and meals	131,532	1,905	(129,627)	Annual conference - facilities and meals
Contract and consulting services	2,570,237	2,882,435	312,198	(1) Professional practice review (2) Continuing professional development seminars & workshops (3) Information technology (4) Other contract or consulting services
Contract and consulting services on grants	920,616	1,426,168	505,552	Seismic Mitigation Program, SRG Expansion Project, Seismic Assessment and Seismic Design of Dikes, Seismic Microzonation Project and CBA Engineer Canada Program
Engineers Canada Assessment	336,649	325,015	(11,634)	Engineers Canada Assessment
Examinations and examination books	395,855	241,746	(154,109)	(1) Exam marking (2) Exam invigilation
Geoscientists Canada Assessment	93,820	84,252	(9,568)	Geoscientists Canada Assessment
Grants and awards	87,362	54,019	(33,343)	(1) Branches grants (2) Career awareness (3) Student program
Innovation magazine printing	119,957	118,139	(1,818)	Innovation magazine costs
Legal	1,225,167	1,411,448	186,281	Legal costs related to disciplining, enforcements, and corporate legal advice
Meetings, seminar room rentals and special events	134,921	26,858	(108,063)	(1) CPD seminars & workshops (2) Other program meeting expenses
Office, general and miscellaneous	1,376,818	1,163,042	(213,776)	(1) Bank fees (2) Computer hardware and software (3) Office supplies (3) Staff training (4) Insurance (5) Copier and mail equipment lease
Premises and operating costs	403,038	379,015	(24,023)	Premises and operating costs
Printing, publication and distribution costs	315,427	313,661	(1,766)	(1) Postage (2) Photocopy (3) Mail house services (4) Printing (annual conference, program brochures, CPD, annual reports, annual invoicing, interim invoices, receipts and membership cards) (5) Letterheads, envelopes, business cards (6) Certificates & stamps (7) others
Salaries and employee benefits	12,286,904	11,436,165	(850,739)	Salaries and employee benefits
Secondary professional liability insurance premiums	161,774	146,216	(15,558)	Secondary professional liability insurance premiums
Telecommunications	70,502	69,323	(1,179)	(1) Telephone (2) Long distance (3) T1 Internet access
Travel	58,093	5,563	(52,530)	(1) Staff (2) President (3) Council sub-committees (4) Practice reviewers (5) CPD speakers & branch reps travel
Total Expenses before Amortization	**20,724,265**	**20,116,187**	**(608,078)**	
Amortization	**572,195**	**565,370**	**(6,825)**	Amortization expense of capital assets
Excess of revenue over expenses for the year	**4,916,056**	**235,394**	**(4,680,662)**	

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.2

DATE	August 23, 2022
REPORT TO	Council for Discussion and Decision
FROM	Efrem Swartz, LLB, Director, Legislation, Ethics & Compliance Klara Hillmann, Regulatory Officer
SUBJECT	Amendments to the Bylaws of Engineers and Geoscientists BC
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	Council is requested to review and approve the proposed amendments to the Bylaws.
Motion	That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the *Professional Governance Act*.

BACKGROUND

Regulatory bodies are permitted to amend their Bylaws via Council motion, with final review and approval by the Office of the Superintendent of Professional Governance (the "OSPG"). This report sets out a series of proposed amendments identified in the course of implementing new programs and processes. The OSPG has conducted a review of the proposed bylaw amendments and has indicated that they will be approved by the OSPG following approval by the Council. If these proposed amendments are approved by Council, the amended bylaws will be sent to the OSPG for filing with the Attorney General pursuant to the procedure set out in section 37 of the *Professional Governance Act* (the "PGA").

DISCUSSION

Proposed Amendments

There are three substantive amendments and several minor amendments to correct typographical errors and add and correct cross-references:

(1) The first set of amendments relate to the appointment, termination, and composition of members of the statutory committees. The amendments are intended to

a) stipulate that Council must appoint committee members [which is current practice, but not contained in the bylaws];

b) require that Professional Registrants (i.e. Registrants with the right to engage in the Reserved Practice) must constitute a majority on each "Regulatory Committee" [a new definition meaning the Credentials Committee, Audit and Practice Review Committee, Investigation Committee, and Discipline Committee], while allowing a Regulatory Committee to continue functioning without a majority of Professional Registrants for up to one year; and

c) establish automatic removal of a Registrant committee member who has been suspended or cancelled.

(2) The second set of amendments concerns the relationship between Council, Executive Director, Registrar, and any Deputy Registrar(s). The proposed additions to the bylaws are to

a) stipulate that Council must appoint an Executive Director [which is current practice, but not contained in the bylaws];

b) authorize the Executive Director to terminate the appointment of the Registrar; and

c) authorize the Executive Director to appoint and terminate any Deputy Registrar(s).

(3) The third amendment is to adjust the requirement of 750 annual practicing hours for designated structural engineers to a three-year rolling period of 2,250 hours to match the schedule of the continuing education program and make it more reasonable for people on parental, medical and compassionate leaves.

Please see the table enclosed as **Appendix C** for a detailed description of each amendment.

The redlined draft of the amended Bylaw package is found at **Appendix A**. A clean copy of the final draft amended Bylaws is found at **Appendix B**. Enclosed as **Appendix C** is a table which lists each proposed amendment and sets out the details and explanation for each.

RECOMMENDED MOTION

That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the *Professional Governance Act*.

APPENDIX A – Final Draft Amended Bylaws with Redline Revisions (link)

APPENDIX B – Clean Final Draft Amended Bylaws (link)

APPENDIX C – Descriptions of Proposed Amendments to Bylaws (link)

Pursuant to the *Professional Governance Act,* S.B.C. 2018, c. 47

BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

In Force Effective September X, 2022

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

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1 Definitions and Communications

1.1 Definitions

(1) In these Bylaws the following definitions apply:

"Abuse of Process" means the complaint process is not being fairly or honestly used, or where multiple or successive complaints are made to cause vexation or oppression.

"Accounting Records" means true accounts of

(a) the assets and liabilities of EGBC,

(b) the sums of money received and expended by EGBC, and

(c) the manner in respect of which such receipt and expenditure takes place.

"Alternative Complaint Resolution" means a process or processes for the full or partial resolution of one or more matters to be dealt with at a discipline hearing and includes

(a) negotiation,

(b) mediation, or

(c) other processes the parties agree to.

"Applicant" means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

"Audit and Practice Review Committee" means the audit and practice review committee established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].

"Authenticate" means the act of a Professional Registrant Manually Authenticating or Digitally Authenticating a Document.

"Bad Faith" refers to a complaint that was made with untruthful, misleading, or unduly insensitive intent where the Complainant is motivated by malice or financial gain.

"Branch" means a geographical group of Registrants.

"Branch Representatives' Chair" means an individual who is appointed by the Council to chair meetings of representatives of each Branch and to act as a liaison between those representatives and the Council.

"Bylaws" means the bylaws of EGBC under the PGA.

"Certificate Authority" means a third party approved by EGBC to issue Digital Certificates to Professional Registrants.

"Code of Conduct" means the document created or adopted by a Registrant Firm pursuant to section 7.7.3(1)(a) of the Bylaws [*Professional Practice Management Plan*].

"Code of Ethics" means the Code of Ethics of EGBC set out in Schedule A of the Bylaws.

"Committee" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Communications and Leadership Learning" means Continuing Education Activities related to advancing an individual Registrant's non-technical knowledge and skills, including communications and leadership skills.

"Complainant" means a person who files a complaint against a Registrant and includes a member of the public or another Registrant.

"Conduct of Concern" means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

"Conduct Unbecoming a Registrant" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Continuing Education Activity" means an activity related to advancing an individual Registrant's knowledge in the categories of Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

"Continuing Education Hour" means one hour of a Continuing Education Activity that contributes to an individual Registrant's maintenance of competency within the individual Registrant's

(a) current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant, or

(b) former area(s) of practice, if the individual Registrant is a non-practising Registrant or a life member or life limited licensee.

"Council" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Credentials Committee" means the credentials committee established pursuant to section 44(1) of the PGA [*Credentials committee*].

"Decision Maker" means

(a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

"Delegated" means, in relation to Direct Supervision, a Subordinate being directed to undertake certain activities, work, or decisions related to the Regulated Practice on behalf of a Professional Registrant who takes professional responsibility for the work of the Subordinate.

"Deputy Registrar" means any individual appointed by the Council as deputy registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

"Different Governing Body" means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

"Digital Certificate" means a certificate issued to a Professional Registrant by a Certificate Authority that attests to the legitimacy of information through the use of encryption.

"Digitally Authenticating" means a Professional Registrant applying all of the following to a Document:

(a) the Professional Registrant's Digital Seal;

(b) a digital image of the Professional Registrant's signature;

(c) a digital image of the date of authentication;

(d) the Professional Registrant's Digital Certificate.

"Digital Seal" means a digital image of a Professional Registrant's Manual Seal, with no material variation in format or wording.

"Direct Supervision" means the responsibility for the control and conduct of the activities, work, or decisions related to the Regulated Practice that have been Delegated to a Subordinate.

"Disciplinary Order" means any of the following:

(a) an order made pursuant to section 9.7.2 of the B~~b~~ylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*];

(b) an order made pursuant to section 67(1) of the PGA [*Extraordinary action*];

(c) a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*];

(d) a consent order made pursuant to section 73(2)(a) or (b) of the PGA [*Consent orders*];

(e) any agreement reached through the Alternative Complaint Resolution process pursuant to section 74 of the PGA [*Alternative complaint resolution*];

(f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [*Discipline hearings*], as applicable;

(g) an assessment of costs made pursuant to section 81(1) of the PGA [*Costs*].

"Discipline Committee" means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

"**Discipline Hearing Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

"**Discipline Resolution Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of attempting to resolve one or more matters set out in a citation by means other than a discipline hearing pursuant to sections 72 to 74 of the PGA.

"Document" includes any physical or electronic record, including but not limited to a report, certificate, memo, specification, drawing, map, or plan, that conveys a design, direction, estimate, calculation, opinion, interpretation, observation, model, or simulation that relates to the Regulated Practice.

"EGA" means the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116.

"EGBC" means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

"Electronic Means" includes videoconference, telephone conference, and webcasting.

"Ethical Learning", means Continuing Education Activities related to advancing an individual Registrant's knowledge of how to act ethically and meet the ethical obligations of Registrants pursuant to the PGA, regulations, Bylaws, and Code of Ethics.

"Executive Director" means the individual appointed by the Council as the chief executive officer of EGBC pursuant to section 32(1)(a) of the PGA [*Officers and committees*], who may also be the Registrar.

"**Extraordinary Action Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of considering action that may be taken pursuant to section 67 of the PGA [*Extraordinary action*].

"Firm" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Frivolous" refers to a complaint that is obviously unsustainable in law or that displays no reasonable cause for complaint in law.

"Government Registrant" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Incompetent" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"**Individual With Authority**" means an individual that is:

(a) in respect of a Firm that is a corporation, a director or senior officer;

(b) in respect of a Firm that is a partnership, a partner;

(c) in respect of a Firm that is a sole proprietorship, an owner; or

(d) any other individual that is authorized by a Firm to act in a similar capacity as a director, senior officer, or partner and to make legally binding decisions and take binding action on behalf of the Firm.

"In Good Standing" means a Registrant meets all of the following criteria:

(a) the Registrant's registration is not suspended;

(b) the Registrant has paid any annual fee owing to EGBC; and

(c) if the Registrant is a Registrant Firm,

(i) the Registrant Firm's registration and Permit to Practice are not suspended, and

(ii) there are no conditions on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice.

"Inspector" means the Registrar and any person appointed as an inspector pursuant to section 68 of the PGA [*Inspectors*].

"Investigation Committee" means the investigation committee established pursuant to section 64 of the PGA [*Investigation committee*].

"Investigation Subcommittee" means any number of members of the Investigation Committee authorized by the Investigation Committee to carry out an investigation or oversee and take responsibility for an investigation carried out by an Investigator, which members may be the same as those serving on a Resolution Subcommittee.

"Investigator" means any of the following individuals:

(a) a member of an Investigation Subcommittee;

(b) an officer or an employee of EGBC or a contractor retained by EGBC who is authorized by the Investigation Committee to carry out an investigation pursuant to section 66(1)(a) of the PGA *[Investigations*];

(c) an Inspector appointed by the Investigation Committee pursuant to section 68(1) of the PGA [*Inspectors*].

"Lay Committee Member" means the same as defined in section 21 of the PGA [*Definition*].

"Lay Councillor" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Major Non-Conformance" means a situation in which, based on the evidence provided to the assessor,

(a) there is systemic failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), or

(b) there are reasonable and probable grounds to believe that a Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

"Manually Authenticating" means a Professional Registrant applying all of the following to a Document:

(a) the Professional Registrant's Manual Seal;

(b) the Professional Registrant's handwritten signature;

(c) the date of authentication.

"Manual Seal" means the ink stamp or embossing machine issued to a Professional Registrant by EGBC that can create an impression on a Document.

"Minor Non-Conformance" means a situation in which, based on the evidence provided to the assessor,

(a) there has been failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), but such failure is not systemic, and

(b) there are no reasonable and probable grounds to believe that the Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

"Nomination Committee" means the nomination committee established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].

"Non-Contentious Decision" means a decision which, pursuant to a policy approved by the Council, may be made by an officer in relation to an application for enrolment, admission, or reinstatement pursuant to the Bylaws.

"**Panel**" means one or more of the following:

(a) Extraordinary Action Panel;

(b) Discipline Resolution Panel;

(c) Discipline Hearing Panel.

"Permit to Practice" means a certificate bearing a Permit to Practice Number that is issued to a Registrant Firm by EGBC and confirms that the Registrant Firm is entitled to engage in the Reserved Practice in British Columbia, subject to any suspensions, limitations, conditions, or restrictions on the Registrant Firm's registration.

"Permit to Practice Number" means the unique number that is issued to a Registrant Firm by EGBC and appears on the Permit to Practice.

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

"Practice Advice Program" means a program offered by EGBC to assist Registrants in dealing with professional or ethical issues, as required by section 57(1)(d) of the PGA [*Standards of conduct and competence*].

"Practice Advisor" means an individual Registrant employed or retained by EGBC who receives and responds to professional or ethical inquiries of Registrants through the Practice Advice Program.

"Practice of Professional Engineering" 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*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.

"Practice of Professional Geoscience" 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*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.

"Private Sector Firm" means a Registrant Firm that is designated as a Private Sector Firm pursuant to section 5.12.2(2) of the Bylaws [*Private Sector Firm*].

"Proceeding" means a motion, application, pre-hearing conference or hearing.

~~**"Practice of Professional Engineering"** 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*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.~~

~~**"Practice of Professional Geoscience"** 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*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.~~

"Professional Misconduct" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Professional of Record" means the Professional Registrant who is professionally responsible for activities, work, or Documents related to the Regulated Practice.

"Professional Practice Management Plan" means a document that is developed and maintained by a Registrant Firm and must meet the requirements set out in section 7.7.3 of the Bylaws [*Professional Practice Management Plan*].

"Professional Registrant" means a Registrant who is registered in one of the following categories of Registrants:

(a) professional engineer;

(b) professional geoscientist;

(c) professional licensee engineering;

(d) professional licensee geoscience;

(e) life member prior to 1998;

(f) honorary life member.

"Public Sector Firm" means a Registrant Firm that is designated as a Public Sector Firm pursuant to section 5.12.1(2) of the Bylaws [*Public Sector Firm*].

"Recent Historical Member" means the same as defined in section 1.4 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Definitions*].

"Register" means the register on a publicly available website maintained by or on behalf of EGBC pursuant to section 31(3) of the PGA [*Registrar and register for regulatory body*].

"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*].

"Registrant Firm" means a Firm that is registered with EGBC as a Registrant.

"Registrar" means the individual appointed by the Council as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

"Regulated Practice" 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]* and prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

"Regulation of Firms Training Program" means the training program designated by EGBC for providing training and information to Responsible Registrants of Registrant Firms.

"Regulatory Authority" means a licensing or certification body for regulating engineering or geoscience in Canada, or an institution in another country that is, in the opinion of the Council, equivalent to EGBC.

"Regulatory Committee" means the Credentials Committee, the Audit and Practice Review Committee, the Investigation Committee, or the Discipline Committee.

"Regulatory Learning", means Continuing Education Activities related to advancing an individual Registrant's knowledge of the relevant regulatory requirements, including the PGA, regulations, Bylaws, Code of Ethics, codes, standards, policies, and requirements in relevant legislation.

"Reporting Year" means the period beginning on July 1 of a calendar year and ending on June 30 of the following calendar year.

"Reserved Practice" means the same as prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

"Resolution Subcommittee" means any number of members of the Investigation Committee authorized by the Investigation Committee to attempt to resolve or oversee an attempt to resolve one or more matters subject to investigation pursuant to sections 72 to 74 of the PGA, which members may be the same as those serving on an Investigation Subcommittee.

"Respondent" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Responsible Officer" means an individual who has been designated by a Registrant Firm pursuant to section 5.12(13) of the Bylaws *[Registrant Firm]*, must meet the requirements set out in sections 5.12(14), (15), (16) and (17) of the Bylaws *[Registrant Firm]*, and has the responsibilities set out in section 5.12(18) of the Bylaws *[Registrant Firm]*.

"Responsible Registrant" means a Professional Registrant who has been designated by a Registrant Firm pursuant to section 5.12(5) of the Bylaws *[Registrant Firm]*, must meet the criteria set out in sections 5.12(7) and (8) of the Bylaws *[Registrant Firm]*, and has the responsibilities set out in section 5.12(9) of the Bylaws *[Registrant Firm]*.

"Robert's Rules of Order" means the procedural rules set out in the guide published by the Robert's Rules Association under the title "Robert's Rules of Order Newly Revised".

"Sole Practitioner" means a Professional Registrant who practises on their own, either in an incorporated or unincorporated manner.

"Structural Design" means a design of a Structure.

"Structure" means a series of connected, interrelated elements that form a system that provides adequate rigidity and can resist a series of external load effects applied to it, including its own weight. Examples include temporary or permanent structures such as buildings, retaining walls, large signage, support towers, bridges, dams, and tunnels.

"Subordinate" means any individual who engages in the Regulated Practice under the Direct Supervision of a Professional Registrant.

"Technical Learning" means Continuing Education Activities related to advancing an individual Registrant's technical and professional knowledge and skills within an individual Registrant's area(s) of practice, including any anticipated future area(s) of practice.

"Three-Year Rolling Period" means a period of 3 consecutive Reporting Years, with a new period starting on the first day of each Reporting Year. For greater clarity, Reporting Years 1, 2 and 3 is one period, Reporting Years 2, 3 and 4 is one period, and Reporting Years 3, 4 and 5 is one period, with the pattern continuing.

"Trainee" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Trivial" refers to a complaint that has no merit and does not warrant further investigation.

"Vexatious" refers to a complaint that has the intent of annoying, harassing, embarrassing, or abusing another party, or abusing the complaint process.

1.2 Written Notice to Registrants

(1) In all instances where written notice is required to be provided to an individual Registrant pursuant to the PGA or the Bylaws, written notice to the individual Registrant may be provided by way of the individual Registrant's personal and unique email address.

(2) In all instances where written notice is required to be provided to a Registrant Firm pursuant to the PGA or the Bylaws, written notice to the Registrant Firm may be provided by way of the personal and unique email address of the Responsible Officer or any of the Responsible Registrants of the Registrant Firm.

2 Governance

2.1 Committees Established

(1) The Nomination Committee is established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].

(2) The Credentials Committee is established pursuant to section 44(1) of the PGA [*Credentials committee*].

(3) The Audit and Practice Review Committee is established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].

(4) The Investigation Committee is established pursuant to section 64 of the PGA [*Investigation committee*].

(5) The Discipline Committee is established pursuant to section 75(1) of the PGA [*Discipline hearings*].

2.2 Chairs, Vice-Chairs, and Members of Committees

(1) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council must appoint a chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].

(2) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council may appoint a vice-chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].

(3) Any vice-chair appointed pursuant to subsection (2) may assume the role of chair in the following situations:

(a) whenever the chair is unavailable to act, but not for a term that is longer than the remainder of the term of the chair;

(b) whenever there is no chair appointed, until a chair is appointed by the Council or the term of the vice-chair expires.

(4) At a meeting of a Committee, if neither the chair nor any vice-chair of the Committee attends the meeting in person or by Electronic Means at its appointed time, the Committee members may choose one of their number to chair the meeting.

~~(5) A Registrant without the ability to engage in Reserved Practice pursuant to the PGA and Bylaws is not eligible for appointment to any Committee.~~

(5) The Council must appoint the members of each Committee.

(6) For each Regulatory Committee, the Council must appoint Professional Registrants to constitute a majority of the Regulatory Committee members.

(7) If the composition of a Regulatory Committee changes such that Professional Registrants no longer constitute a majority of Regulatory Committee members, the Regulatory Committee may continue to operate and carry out its business without a majority of Professional Registrants for up to one year.

~~(6) A member, a vice-chair, or a chair of a committee who ceases to be a Registrant In Good Standing is no longer eligible to serve on the Committee and must be removed from the Committee by Council.~~

(8) A member, a vice-chair, or a chair of a Committee who is an individual Registrant and whose registration has been suspended or cancelled is terminated from the Committee effective the start date of the suspension or cancellation.

(9) A Committee member serves on a Committee at the pleasure of the Council and may be removed by the Council from a Committee before the expiry of their term of office without prior notice to the Committee member.

2.3 Conduct of Committee Meetings

(1) A Committee may meet or adjourn as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.

(2) Questions arising at a meeting of a Committee must be decided by a majority of the Committee members attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.

(3) Despite subsection (2), the chair of a meeting of a Committee may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(4) A resolution that is assented to and adopted by Committee members in writing, although not passed during a meeting of the Committee, is of the same force and effect as if it had been duly passed at a meeting of the Committee.

2.4 Conduct of Council Meetings

(1) The Council may meet or adjourn as it sees fit, including meeting by any combination of councillors attending in person or by Electronic Means.

(2) The Council may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a meeting of the Council.

(3) The rules contained in Robert's Rules of Order must govern the conduct of Council meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by Council pursuant to subsection (2).

(4) A meeting of the Council is open to the public.

(5) Despite subsection (4), the Council is authorized to hold any meeting or a portion of any meeting in the absence of the public or any other person who is not a councillor pursuant to section 35(2) of the PGA [*Bylaws of council*].

(6) The Executive Director must

(a) call a meeting of the Council at the request of the president of the Council or any 3 councillors, and

(b) provide reasonable written notice to the Council of the date, hour, place, and purpose of a meeting of the Council.

(7) At a meeting of the Council, if neither the president of the Council nor the vice president of the Council attend the meeting in person or by Electronic Means at its appointed time, the Council may choose one of their number to chair the meeting, and the chair so chosen may exercise all of the functions and authority of the president of the Council for the conduct of the meeting.

(8) Questions arising at a meeting of the Council must be decided by a majority of the voting councillors attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.

(9) Despite subsection (8), the chair of a meeting of the Council may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(10) A resolution that is assented to and adopted by the councillors in writing, although not passed at a meeting of the Council, is of the same force and effect as if it had been duly passed at a meeting of the Council.

(11) The Executive Director must ensure that minutes are taken at each meeting of the Council.

2.5 Executive Director, Registrar, and Deputy Registrar(s)

(1) The Council must appoint an Executive Director pursuant to section 32(1)(a) of the PGA [*Officers and committees*].

(2) The Council authorizes the Executive Director to exercise the Council's power to terminate the appointment of the Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

(3) The Council authorizes the Executive Director to exercise the Council's powers to appoint any number of Deputy Registrars and terminate the appointment of a Deputy Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

~~(1)~~(4) Pursuant to section 31(2) of the PGA [*Registrar and register for regulatory body*] the Council authorizes any Deputy Registrar(s) ~~appointed by the Council~~ to exercise any of the powers and perform any of the duties of the Registrar set out in the Bylaws.

2.6 Accounting Records of EGBC

(1) Accounting Records must be maintained by EGBC and must be available for inspection by the Council.

(2) No Registrant, other than a Registrant who is on the Council, has any right to inspect any Accounting Records of EGBC, except as authorized by the Council or as required by law.

(3) The Council may determine whether, to what extent, at what time(s) and place(s), and under what conditions or regulations Accounting Records may be open to the inspection of Registrants that are not on the Council.

2.7 Financial Statements and Audit

(1) Financial statements must be drawn up annually, and such financial statements, together with the books of EGBC, must be audited annually by a chartered professional accountant appointed by the Council as an auditor.

(2) A report duly signed by the auditor appointed pursuant to subsection (1) must be presented to Registrants, and the Council must cause such report, together with the financial statements of EGBC, to be made available to all Registrants at least 15 days prior to the annual general meeting.

(3) The auditor's report and the financial statements of EGBC required pursuant to subsection (2) must be accompanied by a report of the Executive Director as to the state of the affairs of EGBC, which must be published on a public website maintained by EGBC at least 15 days prior to the annual general meeting.

2.8 Seal of EGBC

(1) EGBC must have a seal.

(2) EGBC's seal must be affixed by the Executive Director or those persons designated by the Executive Director, to those instruments determined by the Executive Director.

2.9 Branches

(1) Pursuant to section 35(1)(g) of the PGA [*Bylaws of council*], the Council may continue or establish Branches.

3 General Meetings

3.1 Conduct of General Meetings

(1) A general meeting must be held in the manner provided in section 33 of the PGA [*General meetings of regulatory bodies*].

(2) At the discretion of the Council, a general meeting may be held with Registrants attending

(a) in person,

(b) by Electronic Means, or

(c) in any combination of Registrants attending in person or by Electronic Means.

(3) The Council may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a general meeting.

(4) The rules contained in Robert's Rules of Order must govern the conduct of general meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by Council pursuant to subsection (3).

(5) Any policies, procedures, or rules of order adopted or established by the Council prior to the general meeting pursuant to subsection (3) must be published on a public website maintained by EGBC prior to the general meeting to which the policies, procedures, or rules of order are to apply.

(6) The Executive Director must ensure that minutes are taken at each general meeting.

3.2 Request for General Meetings

(1) A written request that the Council call a general meeting pursuant to section 33(4) of the PGA [*General meetings of regulatory bodies*] must be accompanied by a notice setting out specifically the business to be transacted at the general meeting.

3.3 Notice of General Meetings

(1) Notice of the time and place of a general meeting must be

(a) published on a public website maintained by EGBC, and

(b) provided in writing to Registrants In Good Standing,

at least 21 days prior to the general meeting.

(2) If the Council has determined pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*] that a general meeting will be held by Electronic Means, or by any combination of Registrants attending in person or by Electronic Means, this determination must be included in the notice of the general meeting that is published pursuant to subsection (1).

(3) Accidental omissions in the delivery of notice or non-receipt of a notice required pursuant to subsection (1) by any Registrant entitled to receive notice does not invalidate the proceedings at a general meeting.

3.4 Chair of General Meetings

(1) The president of the Council must act as chair of a general meeting.

(2) Despite subsection (1), the vice president of the Council must act as chair of a general meeting if the president of the Council

(a) does not attend in person or by Electronic Means at the time appointed for holding the general meeting, or

(b) is not willing to act as chair of the general meeting.

(3) Despite subsections (1) and (2), the Council may choose one of their number to chair the general meeting if both the president of the Council and the vice president of the Council

(a) do not attend the general meeting in person or by Electronic Means at its appointed time, or

(b) are not willing to act as chair of the general meeting.

3.5 Quorum for General Meetings

(1) The quorum requirement for a general meeting is 50 individual Registrants In Good Standing, whether attending the general meeting

(a) in person, or

(b) by Electronic Means, if the Council has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].

3.6 Eligibility and Entitlement to Vote

(1) A Registrant is eligible to vote in a resolution, a referendum, and an election of the Council if the Registrant, at the time the Registrant casts the Registrant's vote

(a) is In Good Standing, and

(b) belongs to one of the following categories of Registrants:

(i) Trainee;

(ii) professional engineer;

(iii) professional geoscientist;

(iv) professional licensee engineering;

(v) professional licensee geoscience;

(vi) life member prior to 1998;

(vii) honorary life member;

(viii) non-practising;

(ix) life members or life limited licensees.

3.7 Resolutions Proposed by Registrants

(1) A Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] may deliver a written notice to the Executive Director not fewer than 30 days before the date set for a general meeting requesting the consideration of a resolution at the general meeting.

(2) A written notice delivered by a Registrant pursuant to subsection (1) must

(a) identify the Registrant as the mover of the resolution,

(b) identify another Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] as a seconder of the resolution, and

(c) contain the text of the resolution, which must not include a preamble.

(3) A resolution delivered by a Registrant pursuant to subsections (1) and (2) must be reviewed by the Executive Director to ensure the resolution is eligible for consideration at a general meeting, in accordance with any policies, procedures, or rules of order adopted or applicable pursuant to sections 3.1(3) and (4) of the Bylaws [*Conduct of General Meetings*].

(4) If a resolution is eligible for consideration at the general meeting pursuant to subsection (3) the Executive Director must do all of the following at least 14 days before the date of the general meeting:

(a) deliver written notice of the resolution to Registrants who have voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*];

(b) publish notice of the resolution, including the text of the resolution, on a public website maintained by EGBC.

(5) The accidental omission to deliver written notice of a resolution to, or the non-receipt of written notice by, any Registrant entitled to receive notice does not invalidate the resolution.

3.8 Voting on Resolutions

(1) A vote of a general meeting may be taken in the manner determined by the Council, subject to the PGA, applicable regulations, and the Bylaws.

(2) When a resolution is decided by a vote of a general meeting,

(a) the chair of the general meeting must declare that the resolution has been carried or lost, and

(b) minutes made that the resolution has been carried or lost are conclusive evidence of that fact, without proof of the number or proportion of the votes recorded in favour or against the resolution.

(3) A Registrant must have one vote in a resolution put to a vote of the general meeting if the Registrant has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] and is attending the general meeting

(a) in person, or

(b) by Electronic Means, if the Council has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].

(4) Despite subsection (3), the chair of a general meeting may only vote on a resolution put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(5) Except as provided in section 34 of the PGA [*Implementing resolutions of general meetings*], a resolution approved at a general meeting does not bind the Council, any Committee, or any officer, employee, or agent of EGBC in the exercise of its or their powers or in performance of its or their duties under the PGA or any other enactment.

3.9 Adjourning General Meetings

(1) The chair of a general meeting may adjourn the general meeting from time to time and from place to place.

(2) The only business that may be transacted at an adjourned general meeting is that business left unfinished at the meeting from which the adjournment took place.

(3) When a general meeting is adjourned for less than 30 days, it is not necessary for EGBC to give notice of the adjourned general meeting, or of the business to be transacted at the adjourned general meeting.

(4) When a general meeting is adjourned for 30 days or more, notice of the adjourned general meeting must be given by EGBC in the same manner as notice of the original meeting.

4 Nominations and Election of Council

4.1 Nomination Committee Composition

(1) The Nomination Committee must be composed of between 5 and 7 members appointed by the Council.

(2) The members of the Nomination Committee appointed by the Council pursuant to subsection (1) must include

(a) the immediate past president of EGBC, who will serve as chair of the Nomination Committee,

(b) at least one Lay Committee Member, and

(c) the Branch Representatives Chair.

(3) If the immediate past president of EGBC cannot be appointed as or serve as chair of the Nomination Committee, the Council must appoint a Lay Councillor as the chair of the Nomination Committee.

(4) If the Branch Representatives Chair cannot be appointed to or serve on the Nomination Committee, the Council must appoint a delegate.

(5) No member of the Council may be appointed to or serve on the Nomination Committee, except

(a) the immediate past president of EGBC, or

(b) a Lay Councillor, if the immediate past president of EGBC is unable to serve as chair of the Nomination Committee.

4.2 Powers of the Nomination Committee

(1) The Nomination Committee has the functions and duties assigned to it in the PGA.

4.3 Criteria for Nomination of Candidates

(1) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council, must be a Registrant In Good Standing.

(2) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for the position of president of the Council must meet at least one of the following experience requirements prior to the date of taking office, if such a candidate is available for nomination:

(a) one year of experience as a councillor for EGBC;

(b) equivalent experience as determined by the Nomination Committee.

(3) A Registrant who is not In Good Standing must not be nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council.

4.4 List of Candidates

(1) The list of candidates nominated by the Nomination Committee must be

(a) signed by the chair of the Nomination Committee,

(b) accompanied by the written consent of all candidates,

(c) provided to the Executive Director, and

(d) published on a public website maintained by EGBC

at least 90 days prior to the annual general meeting.

4.5 Election Procedures

(1) The election of Registrant councillors, including the president of the Council, must be by paper ballot or electronic ballot, as determined by the Council.

(2) The Executive Director must prepare a ballot containing the names of all candidates nominated by the Nomination Committee.

(3) Voting must be closed at noon on the 15th day prior to the annual general meeting, and ballots received after that time must not be counted.

(4) Voting for more than one president of the Council or more than the number of Registrant councillors to be elected will render the applicable part of the ballot invalid.

(5) Voting for less than one president of the Council or less than the number of Registrant councillors to be elected will not invalidate the ballot.

(6) Ballots cast in an election must be tabulated at least 10 days prior to the annual general meeting.

(7) The candidate for the position of president of the Council who receives the most votes in the election is elected to that position.

(8) The candidates for positions as Registrant councillors who receive the most votes in the election are elected to those positions.

(9) If there are any vacancies in the Council to be filled because of an election, the candidate or candidates receiving the next highest number of votes must be elected for the unexpired term or terms to be filled.

(10) If there is a tie vote between 2 or more candidates, the Executive Director must hold a random draw to determine the successful candidate.

(11) The Executive Director must inform each candidate in the election of the results of the election as soon as practicable, and the results of the election must be announced at the annual general meeting.

(12) The successful candidates for positions as Registrant councillors, including the position of president of the Council, must take office at the close of the annual general meeting.

(13) The Executive Director must not authorize the destruction of any paper ballots or the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.

4.6 Term Lengths

(1) At each election of Registrant councillors held pursuant to the Bylaws,

(a) the president of the Council must be elected for a one-year term, pursuant to section 24(3)(a) of the PGA [*Term limits*] and

(b) one-third of the other Registrant councillors must be elected for a 3-year term, pursuant to section 24(1) of the PGA [*Term limits*].

(2) After each election held pursuant to the Bylaws, the vice president of the Council must be selected by the Council from among the Registrant councillors for a one-year term pursuant to section 24(3)(b) of the PGA [*Term limits*].

5 Credentials and Registrants

5.1 Powers of the Credentials Committee

(1) The Credentials Committee has the functions and duties assigned to it in the PGA and delegated to it by Council in subsections (2) and (3).

(2) The Council authorizes the Credentials Committee to exercise the Council's powers pursuant to the following sections of the PGA, other than the Council's bylaw-making authority:

(a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated pursuant to subsection (3)(b);

(b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as an individual Registrant.

(3) The Council authorizes the Credentials Committee to act pursuant to the following sections of the PGA:

(a) section 45 [*Application for enrolment, admission or reinstatement as registrant*] with respect to applications for registration as an individual Registrant;

(b) section 32(5)(b) [*Officers and committees*], to delegate the powers pursuant to section 45(1) of the PGA [*Application for enrolment, admission or reinstatement as registrant*] to one or more officers for the sole purpose of the officer(s) making a Non-Contentious Decision with respect to applications for registration as an individual Registrant.

5.2 Powers of the Audit and Practice Review Committee

(1) The Audit and Practice Review Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council in this section of the Bylaws with respect to applications for registration as a Registrant Firm.

(2) The Council authorizes the Audit and Practice Review Committee to exercise the Council's powers pursuant to the following sections of the PGA, other than the Council's bylaw-making authority:

(a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated to the Audit and Practice Review Committee pursuant to subsection (3)(b);

(b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as a Registrant Firm.

(3) The Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:

(a) section 45 [*Application for enrolment, admission or reinstatement as registrant*], with respect to applications for registration as a Registrant Firm;

(b) section 32(5)(b) [*Officers and committees*], to delegate to one or more officers the powers granted to the Audit and Practice Review Committee by the Council pursuant to this section of the Bylaws, with respect to applications for registration as a Registrant Firm.

5.3 Powers of the Registrar

(1) The Council authorizes the Registrar to exercise the Council's powers pursuant to sections 48(1), 48(2), 48(3), and 48(4) of the PGA [*Review on the record*] for the purpose of conducting reviews on the record pursuant to section 5.22 of the Bylaws [*Review on the Record*].

5.4 Categories of Registrants

(1) The following categories and subcategories of Registrants are set out in sections 5.5 to 5.16 of the Bylaws:

Category of Registrant	Subcategory of Registrant	Bylaw Section
Trainee		5.5
	Engineer-in-Training	5.5.1
	Geoscientist-in-Training	5.5.2
Professional Engineer		5.6
	Designated Structural Engineer	5.6.1
Professional Geoscientist		5.7
Professional Licensee Engineering		5.8
Professional Licensee Geoscience		5.9
Life Member Prior to 1998		5.10
Honorary Life Member		5.11
Registrant Firm		5.12
	Public Sector Firm	5.12.1
	Private Sector Firm	5.12.2
Non-Practising Individual Registrant		5.13
Non-Practising Registrant Firm		5.14
Life Member or Life Limited Licensee		5.15
Honorary Member		5.16

5.5 Trainees

(1) The category of Registrant called “Trainee” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) A Trainee must not serve as a Registrant councillor, or as a member of any Committee.

5.5.1 Engineer-in-Training

(1) The subcategory of Registrant called “engineer-in-training” is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated an engineer-in-training may hold themselves out to be an engineer-in-training and use the post-nominal “EIT”.

(3) An engineer-in-training may only use a title containing the word “engineer”, or any form or abbreviation of the word “engineer”, if the designation “engineer-in-training” or “EIT” is used in close proximity to the title and given the same or higher degree of prominence.

(4) An engineer-in-training must not represent themselves as a Professional Registrant.

(5) An engineer-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].

(6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as an engineer-in-training must provide the following to the Credentials Committee:

(a) a completed application for enrolment as an engineer-in-training;

(b) any applicable application, examination, interview, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has

(A) graduated in applied science, engineering, or geoscience from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or

(B) the equivalent of

(I) a university-level bachelor's degree in applied science or engineering, from an institution of learning not approved by the Credentials Committee, or in a program not approved by the Credentials Committee, but has passed

(1) examinations, assigned by the Credentials Committee from the syllabus published by the Credentials Committee, in the discipline of engineering of the Applicant's degree, that demonstrate that the Applicant's knowledge is equivalent to the knowledge of those who have graduated from an institute of learning approved by the Credentials Committee in a program in applied science or engineering approved by the Credentials Committee, or

(2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee, or

(II) 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science, engineering, or geoscience approved by the Credentials Committee, by passing the Credentials Committee assigned

(1) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or

(2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.5.2 Geoscientist-in-Training

(1) The subcategory of Registrant called “geoscientist-in-training” is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a geoscientist-in-training may hold themselves out to be a geoscientist-in-training and use the post-nominal “GIT”.

(3) A geoscientist-in-training may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “geoscientist-in-training” or “GIT” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A geoscientist-in-training must not represent themselves as a Professional Registrant.

(5) A geoscientist-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].

(6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as a geoscientist-in training must provide the following to the Credentials Committee:

(a) a completed application for enrolment as a geoscientist-in-training;

(b) any applicable application, examination, interview or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has

(A) graduated in applied science, geoscience, or science from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or

(B) the equivalent of 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science,

geoscience, or science approved by the Credentials Committee, by passing the Credentials Committee assigned

(I) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or

(II) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.6 Professional Engineer

(1) The category of Registrant called "professional engineer" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a professional engineer may hold themselves out to be a professional engineer and use the post-nominal "P.Eng.".

(3) A professional engineer may engage in the Reserved Practice.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional engineer must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional engineer;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant's identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant has completed the academic requirements pursuant to section 5.5.1(6)(c)(iii) of the Bylaws [*Engineer-in-Training*];

(v) that the Applicant has engineering experience that

(A) is sufficiently current to demonstrate competency with current practices,

(B) is supported by the Applicant's academic subjects of study, continuing education, or examinations assigned by the Credentials Committee,

(C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied engineering principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(D) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of engineering as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in ~~paragraph~~ subsection (c)(v)(D)(I),

(E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(F) demonstrates that the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics, and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:

(a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant

(i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;

(b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant

(i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority in another country that is, in the opinion of the Council, equivalent to EGBC, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.6.1 Designated Structural Engineer

(1) The subcategory of Registrant called “designated structural engineer” is established as a subcategory of professional engineer pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a professional engineer who is a Professional Registrant and who is designated a designated structural engineer may hold themselves out to be a designated structural engineer and use the post-nominal “Struct.Eng.”.

(3) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Credentials Committee may designate a professional engineer as a designated structural engineer when the Credentials Committee is satisfied that the professional engineer demonstrates the requisite qualifications to be designated as a designated structural engineer.

(4) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], to be designated as a designated structural engineer, a professional engineer must provide the following:

(a) a completed application for designation as a designated structural engineer;

(b) any applicable application, examination, or other applicable fees specified in section 6.1(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee that the professional engineer

(i) is of good character and good repute,

(ii) has at least 6 years of significant post-graduation structural engineering experience as specified by the Council, including 2 years in responsible charge of significant engineering work as specified by the Council, that includes seismic design of buildings or other Structures in significant seismic regions as specified by the Council,

(iii) has completed examination(s) in structural engineering knowledge, solutions, codes and practice, as specified by the Council, and

(iv) has demonstrated active practice and completion of continuing education, as specified by the Council.

(5) To maintain accreditation as a designated structural engineer, a designated structural engineer must

(a) actively practise structural engineering for at least ~~750~~ 2,250 hours over each ~~year~~ Three-Year Rolling Period and provide confirmation of such to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year,

(b) comply with all applicable continuing education requirements set out in section 7.6 of the Bylaws [*Continuing Education Program*], and

(c) comply with any additional requirements to maintain accreditation as a designated structural engineer, as determined by the Council.

5.7 Professional Geoscientist

(1) The category of Registrant called “professional geoscientist” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a professional geoscientist may hold themselves out as a professional geoscientist and use the post-nominal “P.Geo.”.

(3) A professional geoscientist may engage in the Reserved Practice.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional geoscientist must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional geoscientist;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) of the Applicant's identity and legal name;

(ii) that the Applicant is of good character and good repute*;*

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant has completed the academic requirements pursuant to section 5.5.2 (6)(c)(iii) of the Bylaws [*Geoscientist-in-Training*];

(v) that the Applicant has geoscience experience that

(A) is sufficiently current to demonstrate competency with current practices,

(B) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied geoscience principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(D) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of geoscience as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in ~~paragraph~~ subsection (c)(v)(D)(I),

(E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(F) demonstrates that the Applicant has achieved the work experience competencies established by the Council in a minimum of 4 years, and

(G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(1) a course in law and ethics approved by the Council, and

(2) an examination in professional practice approved by the Council.

(5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:

(a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant

(i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;

(b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant

(i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority in another country that is, in the opinion of the Council, equivalent to EGBC, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.8 Professional Licensee Engineering

(1) The category of Registrant called “professional licensee engineering” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) On the coming into force of the PGA, individuals who held a limited licence to practise professional engineering pursuant to the EGA are continued as professional licensees engineering.

(3) Only a Registrant who is designated as a professional licensee engineering may hold themselves out to be a professional licensee engineering and use the post-nominal “P.L.Eng.”.

(3.1) A professional licensee engineering may only use a title containing the word “engineer”, or any form or abbreviation of the word “engineer”, if the designation “professional licensee engineering” or “P.L.Eng.” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A professional licensee engineering may only engage in the authorized area of the Reserved Practice that is specified on their licence.

(5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee engineering must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional licensee engineering;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) a proposed authorized area of practice;

(d) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant understands the role and obligations of a professional licensee engineering;

(v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other

requirements related to practice that may be specified by the Credentials Committee;

(vi) that the Applicant has a science degree in a discipline and from a university program approved by the Council, a degree or diploma in engineering technology from an institution approved by the Council in a program approved by the Council, or other academic qualifications acceptable to the Council;

(vii) that the Applicant has completed any examinations assigned by the Credentials Committee;

(viii) that the Applicant has a minimum of 8 years of experience in engineering that

(A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in ~~paragraph~~ subsection (d)(vi),

(B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,

(C) is sufficiently current to demonstrate competency with current practices,

(D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(E) is at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied engineering principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Applicant's proposed authorized area of practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(F) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of engineering as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the

Credentials Committee is satisfied that the Applicant cannot comply with the requirement in ~~paragraph~~ subsection (d)(viii)(F)(I),

(G) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant

(a) holds registration or licensure as the equivalent of a professional licensee engineering in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and

(b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.9 Professional Licensee Geoscience

(1) The category of Registrant called “professional licensee geoscience” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) On the coming into force of the PGA, individuals who held a limited licence to practise professional geoscience pursuant to the EGA are continued as professional licensees geoscience.

(3) Only a Registrant who is designated as a professional licensee geoscience may hold themselves out to be a professional licensee geoscience and use the post-nominal “P.L.Geo.”.

(3.1) A professional licensee geoscience may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “professional licensee geoscience” or “P.L.Geo.” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A professional licensee geoscience may only engage in the authorized area of the Reserved Practice that is specified on their licence.

(5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee geoscience must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional licensee geoscience;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) a proposed authorized area of practice;

(d) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute*;*

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant understands the role and obligations of a professional licensee geoscience;

(v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other requirements related to practice that may be specified by the Credentials Committee;

(vi) that the Applicant has a science degree in a discipline and from a university program approved by the Council, a degree or diploma in geoscience technology from an institution approved by the Council in a program approved by the Council, or other academic qualifications acceptable to the Council;

(vii) that the Applicant has completed any examinations assigned by the Credentials Committee;

(viii) that the Applicant has a minimum of 8 years of experience in geoscience that

(A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in ~~paragraph~~ subsection (d)(vi),

(B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,

(C) is sufficiently current to demonstrate competency with current practices,

(D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(E) is at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied geoscience principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the proposed authorized area of practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(F) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of geoscience as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in ~~paragraph~~ subsection (d)(viii)(F)(I),

(G) is in conformance with general and discipline-specific experience guidelines published by the Credential Committee,

(H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through

achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant

(a) holds registration or licensure as the equivalent of a professional licensee geoscience in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and

(b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.10 Life Member Prior to 1998

(1) The category of Registrant called “life member prior to 1998” is established only for life members whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “life member prior to 1998”.

(3) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*] without payment of the annual fee.

(4) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.11 Honorary Life Member

(1) The category of Registrant called “honorary life member” is established only for honorary life members whose status had vested pursuant to the prior EGBC bylaw 10(c.2) [*Honorary Life Membership or Licensure*] pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary life member”.

(3) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*], or professional geoscientist established pursuant to section 5.7 of the Bylaws [*Professional Geoscientist*], as applicable, without payment of the annual fee.

(4) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.12 Registrant Firm

(1) The category of Registrant called “Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.

(3) A Registrant Firm must not serve as a member of Council or any Committee.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a Registrant Firm must provide the following to the Audit and Practice Review Committee:

(a) the names of

(i) the Applicant’s Responsible Officer,

(ii) the Applicant’s Responsible Registrant(s), and

(iii) all individual Registrants employed by or under contract with the Applicant;

(b) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC;

(c) a completed declaration by each of the Applicant’s Responsible Registrant(s), in the form set out in Schedule D;

(d) a completed declaration by the Applicant’s Responsible Officer, in the form set out in Schedule E;

(e) all names, both registered and unregistered, under which the Applicant does or has done business over the past 10 years within Canada;

(f) the Applicant's industry or industries of practice and area(s) of practice;

(g) if the Applicant is a corporation:

(i) the Applicant's incorporation number;

(ii) the date of the Applicant's incorporation;

(iii) a copy of the Applicant's certificate of incorporation, certificate of amalgamation, certificate of continuation, or equivalent, from the home jurisdiction of the Applicant;

(iv) any certificate of name change or certificate of restoration, if applicable;

(v) a copy of the Applicant's shareholder register, unless the Applicant is a publicly traded corporation, in which case the Applicant is exempt from this ~~paragraph~~subsection;

(vi) a copy of the Applicant's register of directors and officers;

(h) if the Applicant is a partnership:

(i) the Applicant's registered business name, if applicable;

(ii) a copy of the register of partners;

(i) if the Applicant is a sole proprietorship:

(i) the Applicant's registered business name, if applicable;

(ii) the name of the owner of the sole proprietorship;

(j) a statement confirming whether EGBC or a Different Governing Body has ever cancelled, suspended, or restricted the ability to engage in the Regulated Practice of the Applicant or another person with a direct or indirect ownership interest in the Applicant as the result of a disciplinary process;

(k) the addresses of all of the Applicant's offices in British Columbia, or, if the Applicant does not have any offices in British Columbia, all of the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Applicant;

(l) any applicable application fees and annual fees specified in section~~s~~ 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2)~~,~~ and ~~6.4~~(5) of the Bylaws [*Annual Fees*], and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(m) any additional information or documentation

(i) regarding indirect ownership of the Applicant, or

(ii) that may otherwise be requested by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(5) A Registrant Firm must designate at least one individual as a Responsible Registrant for each area of practice engaged in by the Registrant Firm.

(6) A Responsible Registrant may be designated for more than one area of practice at a Registrant Firm.

(7) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must be a Professional Registrant who is employed by or under contract with the Registrant Firm and who has the ability to engage in the Reserved Practice.

(8) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must submit a completed declaration to EGBC in the form set out at Schedule D.

(9) A Responsible Registrant must ensure that, within the areas of practice to which the Responsible Registrant is designated pursuant to subsection (5), the Registrant Firm meets all of the requirements set out in the Bylaws, including ethical, quality management, and continuing education requirements.

(10) If all Responsible Registrants designated for an area of practice at a Registrant Firm cease to meet any of the criteria set out in subsections (7) and (8), the Registrant Firm must immediately designate at least one new Responsible Registrant for that area of practice.

(11) If a Registrant Firm fails to comply with subsections (5) or (10), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (5) or (10).

(12) An individual may act as a Responsible Registrant for more than one Registrant Firm.

(13) A Registrant Firm must designate one individual as the Responsible Officer of the Registrant Firm, who may also be a Responsible Registrant.

(14) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must be an individual who is employed by or under contract with the Registrant Firm.

(15) If an individual designated as the Responsible Officer by a Registrant Firm pursuant to subsection (13) is also a Registrant, the individual must be a Registrant In Good Standing who is employed by or under contract with the Registrant Firm.

(16) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must submit a completed declaration to EGBC in the form set out at Schedule E.

(17) A Responsible Officer must be an Individual With Authority at the Registrant Firm.

(18) A Responsible Officer must ensure that the Registrant Firm meets its obligations pursuant to the PGA and the Bylaws.

(19) If the Responsible Officer of a Registrant Firm ceases to meet any of the criteria set out in subsections (14), (15), (16), or (17), the Registrant Firm must immediately designate a new Responsible Officer.

(20) If a Registrant Firm fails to comply with subsections (13) or (19), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (13) or (19).

(21) Any oral submissions made on behalf of a Registrant Firm pursuant to the Bylaws may be made by an Individual With Authority at the Registrant Firm.

5.12.1 Public Sector Firm

(1) The subcategory of Registrant called "Public Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may designate a Registrant Firm as a Public Sector Firm where the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that

(a) the Registrant Firm is a Government Registrant, or

(b) the Registrant Firm is a local public body as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act,* R.S.B.C. 1996, c. 165.

(3) If a decision is made pursuant to the PGA or the Bylaws to suspend or cancel the registration and Permit to Practice of a Public Sector Firm, or to put a condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice, then

(a) EGBC must notify the Superintendent of Professional Governance of the decision,

(b) any suspension, cancellation, or condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice must take effect no earlier than 10 days after the notice pursuant to ~~paragraph~~ subsection (a) has been provided, and

(c) publication of the decision must be delayed until the earlier of

(i) 10 days after the notice pursuant to ~~paragraph~~ subsection (a) has been provided, or

(ii) the date on which a decision of the Lieutenant Governor in Council with respect to exercising the power at section 83 of the PGA *[If registration of firm as registrant suspended or cancelled]* becomes known to the public.

(4) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Public Sector Firm to Private Sector Firm if the Registrant Firm no longer meets the criteria set out in subsection (2).

5.12.2 Private Sector Firm

(1) The subcategory of Registrant called "Private Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], any Registrant Firm that the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee has not designated as Public Sector Firm must be designated as a Private Sector Firm.

(3) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Private Sector Firm to Public Sector Firm if the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee determines that the Registrant Firm meets the criteria set out in section 5.12.1(2) of the Bylaws *[Public Sector Firm]*.

5.13 Non-Practising Individual Registrant

(1) The category of Registrant called "non-practising individual Registrant" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Any Professional Registrant In Good Standing may apply to the Registrar to change their category of registration to non-practising.

(3) A non-practising individual Registrant must not engage in the Reserved Practice.

(4) A non-practising individual Registrant must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(5) A non-practising individual Registrant must only use the following professional designation(s), as applicable:

Engineers

(a) Professional Engineer (Non-Practising);

(b) P.Eng. (Non-Practising);

(c) Professional Engineer (Retired);

(d) P.Eng. (Retired);

Geoscientists

(e) Professional Geoscientist (Non-Practising);

(f) P.Geo. (Non-Practising);

(g) Professional Geoscientist (Retired);

(h) P.Geo. (Retired);

Licensees

(i) Professional Licensee Engineering (Non-Practising);

(j) P.L.Eng. (Non-Practising);

(k) Professional Licensee Engineering (Retired);

(l) P.L.Eng. (Retired);

(m) Professional Licensee Geoscience (Non-Practising);

(n) P.L.Geo. (Non-Practising);

(o) Professional Licensee Geoscience (Retired);

(p) P.L.Geo. (Retired).

(6) A non-practising individual Registrant who applies to reinstate status as a Professional Registrant must

(a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and

(b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.14 Non-Practising Registrant Firm

(1) The category of Registrant called "non-practising Registrant Firm" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Any Registrant Firm In Good Standing may apply to the Audit and Practice Review Committee to change its category of registration to non-practising.

(3) A non-practising Registrant Firm must not engage in the Reserved Practice and must not authorize any individual Registrant to engage in the Reserved Practice on behalf of the non-practising Registrant Firm.

(4) A non-practising Registrant Firm must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(5) A non-practising Registrant Firm must not advertise or hold itself out as providing any services related to or requiring the application of the Reserved Practice.

(6) A non-practising Registrant Firm must

(a) clearly and visibly include the designation "non-practising" after the Registrant Firm's name or Permit to Practice Number wherever it is used in any way related to the Regulated Practice, and

(b) expressly advise of the Registrant Firm's non-practising status in any oral communications on behalf of the Registrant Firm that are in any way related to the Regulated Practice.

(7) A non-practising Registrant Firm must continue to meet all requirements set out in the PGA, regulations, and the Bylaws, except where expressly exempted from such requirements, and nothing in this section postpones or defers the deadlines or requirements set out in the PGA, regulations, and Bylaws.

(8) A non-practising Registrant Firm that applies for reinstatement of status as a Registrant Firm must demonstrate compliance with the requirements for reinstatement of status as a Registrant Firm set out in section 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*].

(9) If a non-practising Registrant Firm does not have its status as a Registrant Firm reinstated within 2 years of the date on which the Registrant Firm's status was changed to non-

practising, the non-practising Registrant Firm's registration and Permit to Practice must be cancelled.

5.15 Life Member or Life Limited Licensee

(1) The category of Registrant called "life member or life limited licensee" is established only for:

(a) life members or life limited licensees whose status had vested pursuant to the prior bylaw 10(c.1) [*Life Membership or Licensure*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(b) Registrants previously in the registration categories of "life member prior to 1998" or "honorary life member" who elect to change their registration category to life member or life limited licensee.

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called "life member or life limited licensee".

(3) A life member or life limited licensee retains voting privileges without payment of the annual fee but does not have the right to engage in the Reserved Practice.

(4) A life member or life limited licensee must not engage in the Reserved Practice.

(5) A life member or life limited licensee must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(6) A life member or life limited licensee must only use the following professional designation(s), as applicable:

Engineers

(a) Professional Engineer (Non-Practising);

(b) P.Eng. (Non-Practising);

(c) Professional Engineer (Retired);

(d) P.Eng. (Retired);

Geoscientists

(e) Professional Geoscientist (Non-Practising);

(f) P.Geo. (Non-Practising);

(g) Professional Geoscientist (Retired);

(h) P.Geo. (Retired);

Licensees

(i) Professional Licensee Engineering (Non-Practising);

(j) P.L.Eng. (Non-Practising);

(k) Professional Licensee Engineering (Retired);

(l) P.L.Eng. (Retired);

(m) Professional Licensee Geoscience (Non-Practising);

(n) P.L.Geo. (Non-Practising);

(o) Professional Licensee Geoscience (Retired);

(p) P.L.Geo. (Retired).

(7) A Registrant whose life status vested pursuant to the prior EGBC bylaw 10(c.1) [*Life Membership or Licensure*] who applies to reinstate status as a Professional Registrant must

(a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws *[Fees]*, and

(b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws *[Reinstatement of Status as a Practising Professional Registrant]*.

5.16 Honorary Member

(1) The category of Registrant called “honorary member” is established only for honorary members whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary member”.

(3) An honorary member whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*] retains honorary status with EGBC without the payment of fees.

(4) Honorary status is a ceremonial designation and does not on its own accord confer any rights or responsibilities under the PGA or the Bylaws.

(5) An honorary member's status continues at the pleasure of the Council and may be revoked at the Council's discretion without prior notice to the honorary member.

5.17 Registration and Exemptions from Registration as a Registrant Firm

(1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice and is owned by or employs at least one Professional Registrant must register as a Registrant Firm and obtain a Permit to Practice from EGBC.

(2) If the Audit and Practice Review Committee learns that a Firm is registered as a Registrant Firm, but does not, or at the time of registration did not, engage in the Regulated Practice or meet any one of the other requirements for registration pursuant to section 5.12 of the Bylaws [*Registrant Firm*], the Audit and Practice Review Committee must cause a condition to be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until the necessary requirements are met.

(3) A Firm may apply in writing to the Audit and Practice Review Committee for an exemption from the requirement to register as a Registrant Firm and obtain a Permit to Practice from EGBC if any of the following apply:

(a) EGBC has an agreement in place with another regulatory body that exempts the Firm from registration with EGBC;

(b) the Firm is solely conducting research or providing education.

(4) An application for an exemption submitted by a Firm pursuant to subsection (3) must include:

(a) a clear indication of how the Firm qualifies for an exemption;

(b) any evidence that supports the Firm's application for an exemption; and

(c) a declaration confirming that if the Firm no longer qualifies for the exemption, the Firm will submit an application for registration pursuant to the Bylaws.

5.18 Decisions Regarding Applications for Enrolment, Admission, and Reinstatement

(1) On receiving an application for enrolment, admission, or reinstatement of status in any of the categories of individual Registrants pursuant to sections 5.5 to 5.11 of the Bylaws,

(a) the Credentials Committee may

(i) grant the application,

(ii) grant the application subject to conditions or limitations on the registration, or

(iii) reject the application, with written reasons,

(b) the Registrar, after a credentials hearing on good character and good repute held pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], may

(i) grant the application,

(ii) grant the application subject to conditions or limitations on the registration, or

(iii) reject the application, with written reasons, or

(c) an officer appointed by the Credentials Committee, in the case of a Non-Contentious Decision, may grant the application.

(2) On receiving an application for admission or reinstatement of status as a Registrant Firm pursuant to sections 5.12 of the Bylaws [*Registrant Firm*] or 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may

(a) grant the application,

(b) grant the application subject to conditions or limitations on the registration, or

(c) reject the application, with written reasons.

5.19 Credentials Hearing on Good Character and Good Repute of an Individual Applicant

(1) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to section 5.18(1)(b) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*] if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.

(2) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.

(3) If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), the Registrar may anonymize or redact any identifying, personal or sensitive information of

(a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or

(b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

5.20 Rejection of Application on the Basis of an Indictable Offence

(1) If the Credentials Committee is satisfied that an individual Applicant has been convicted of an indictable offence, the Credentials Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].

(2) If the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that an Applicant for registration as a Registrant Firm has been convicted of an indictable offence, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].

(3) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Applicant has displayed

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(4) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must provide written notice to the Applicant that

(a) action may be undertaken pursuant to section 66(2)(a)(ii) of the PGA [*Investigations]*, and

(b) the Applicant may, by a specified date, make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable.

(5) The Credentials Committee may order a credentials hearing by the Registrar for an individual Applicant, in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) If an Applicant is an Applicant for registration as a Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may order that oral submissions be made in place of or in addition to the written submissions referred to in subsection (4)(b), which are to be made in accordance with the procedures set out in Schedule B of the Bylaws unless otherwise directed by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(7) Despite subsections (4), (5), and (6), if the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, considers it necessary to protect the public interest, the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, may proceed pursuant to subsections (1) or (2) without

(a) providing notice to the Applicant,

(b) providing the Applicant with an opportunity to make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, or

(c) in the case of an individual Applicant, providing the Applicant with the opportunity to have a credentials hearing by the Registrar.

(8) The Credentials Committee or the Audit and Practice Review Committee, as applicable, may approve policies and procedures for summarily rejecting the application of an Applicant pursuant to this section of the Bylaws.

(9) Any policies and procedures for summarily rejecting the application of an Applicant that are approved by the Credentials Committee or the Audit and Practice Review Committee pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.21 Reconsideration of a Decision of the Credentials Committee

(1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*], an individual Applicant may apply in writing to the Credentials Committee for a reconsideration.

(2) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must include all of the following:

(a) a clear indication of the decision of the Credentials Committee;

(b) the position of the Applicant suggesting the decision of the Credentials Committee was flawed;

(c) any evidence that was not previously before the Credentials Committee that the Applicant wants to be considered; and

(d) the relief sought by the Applicant.

(3) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must be accompanied by all applicable reconsideration fees as set out in section 6.3(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].

(4) After considering an application for a reconsideration, the Credentials Committee must, with written reasons,

(a) confirm the original decision of the Credentials Committee, or

(b) substitute the original decision of the Credentials Committee.

(5) The Credentials Committee may approve policies and procedures for the conduct of reconsiderations pursuant to this section of the Bylaws.

(6) Any policies and procedures for the conduct of reconsiderations that are approved by the Credentials Committee pursuant to subsection (5) must be published on a public website maintained by EGBC.

(7) No Applicant for registration as a Registrant Firm may apply for a reconsideration pursuant to this section of the Bylaws.

5.22 Review on the Record

(1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section~~s~~ 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*] or section 5.21(4) of the Bylaws [*Reconsideration of a Decision of the Credentials Committee*], or a decision of the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee made pursuant to section 5.18(2) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*], an Applicant may apply in writing to the Registrar for a review on the record.

(2) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must set out all of the following:

(a) a clear indication of the decision(s) of the Credentials Committee, Audit and Practice Review Committee or officer appointed by the Audit and Practice Review Committee;

(b) the position of the Applicant suggesting the decision of the Credentials Committee, Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee was flawed; and

(c) the relief sought by the Applicant.

(3) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must be accompanied by all applicable review on the record fees as set out in section 6.3(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].

(4) A review on the record must be conducted in writing unless otherwise directed by the Registrar.

(5) The Registrar may only consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee if the Registrar determines that all of the following special circumstances exist which make it necessary to consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee:

(a) the evidence is such that the applicant, through the exercise of reasonable due diligence, could not have discovered and submitted it before the decision was made by the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee;

(b) the evidence is relevant in the sense that it bears upon a decisive or potentially decisive issue in the matter;

(c) the evidence is credible in the sense that it is reasonably capable of belief;

(d) the evidence is such that, if believed, it could reasonably, when taken with the other evidence that was before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee, be expected to have affected the decision of the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee.

(6) To request that the Registrar consider evidence that was not before the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee the Applicant must, in the application for a review on the record,

(a) specify what evidence the Applicant wants to be considered, and

(b) set out how the criteria set out in subsections (5)(a) to (d) are met.

(7) Following a review on the record, the Registrar must, with written reasons,

(a) confirm the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, or

(b) substitute the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, including any conditions or limitations on the registration of the Applicant.

(8) The Council may approve policies and procedures for the conduct of reviews on the record pursuant to this section of the Bylaws.

(9) Any policies and procedures for the conduct of reviews on the record approved by the Council pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.23 Reinstatement of Status as a Practising Professional Registrant

(1) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:

(a) an application for reinstatement of status as a practising Professional Registrant;

(b) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) evidence satisfactory to the Credentials Committee

(i) of Applicant's identity and legal name, if not previously submitted,

(ii) that the Applicant is of good character and good repute, including a declaration that the Applicant is of good character and repute, and

(iii) that the Applicant has provided the information required by section~~s~~ 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] and section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*].

(2) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide proof that the Applicant has complied with all applicable continuing education program requirements for practising Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*] if

(a) the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for 6 months or less, or

(b) the Applicant is

(i) in good standing and has the right to practise with a Regulatory Authority, and

(ii) not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

(3) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has

lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 6 months to 18 months:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) proof that the Applicant has complied with all applicable continuing education program requirements for Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*].

(4) In addition to the requirements pursuant to subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee if the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 18 months to 3 years:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;

(d) professional references, in number satisfactory to the Credentials Committee and who are able to attest to the Applicant's good character, good repute, and practice competency;

(e) a current professional record of the Applicant's work experience;

(f) evidence of completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, or a seminar that is deemed equivalent by the Credentials Committee;

(g) at the discretion of the Credentials Committee, evidence of completion of continuing education on such terms as set by the Credentials Committee.

(5) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has

lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for more than 3 years:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;

(d) professional references, in number satisfactory to the Credentials Committee and whose professional relationship with the Applicant covers the total number of years since the Applicant last had status as a practising Professional Registrant and who are able to attest to the Applicant's good character, good repute, and practice competency;

(e) a current professional record of the Applicant's work experience;

(f) completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, regardless of whether it or a seminar that is deemed equivalent by the Council has previously been completed by the Applicant;

(g) evidence of the successful completion of an examination in professional practice approved by the Council;

(h) at the discretion of the Credentials Committee, evidence of completion of

(i) assigned experience under the Direct Supervision of a Professional Registrant for a period of time and on such terms as set by the Credentials Committee, and provision of a reference from that Professional Registrant, and

(ii) continuing education on such terms as set by the Credentials Committee.

5.24 Reinstatement of Status as a Practising Registrant Firm

(1) A non-practising Registrant Firm applying for reinstatement of status as a practising Registrant Firm must provide the following to the Audit and Practice Review Committee:

(a) an application for reinstatement of status as a practising Registrant Firm;

(b) any applicable fees specified in section 6.2(3) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) the names of all individual Registrants employed by or under contract with the non-practising Registrant Firm;

(d) a completed declaration by each of the non-practising Registrant Firm's Responsible Registrant(s), as set out in Schedule D;

(e) a completed declaration by the non-practising Registrant Firm's Responsible Officer, as set out in Schedule E;

(f) if the non-practising Registrant Firm is a corporation:

(i) the non-practising Registrant Firm's incorporation number;

(ii) the date of the non-practising Registrant Firm's incorporation;

(iii) a copy of the non-practising Registrant Firm's certificate of incorporation, amalgamation, certificate of continuation, or equivalent from the home jurisdiction of the non-practising Registrant Firm;

(iv) any certificate of name change or certificate of restoration, if applicable;

(v) a copy of the non-practising Registrant Firm's shareholder register, unless the non-practising Registrant Firm is a publicly traded corporation, in which case it is exempt from this ~~paragraph~~subsection; and

(vi) a copy of the non-practising Registrant Firm's register of directors and officers;

(g) if the non-practising Registrant Firm is a partnership:

(i) the non-practising Registrant Firm's registered business name, if applicable; and

(ii) a copy of the register of partners; and,

(h) if the non-practising Registrant Firm is a sole proprietorship:

(i) the non-practising Registrant Firm's registered business name, if applicable; and

(ii) the name of the owner of the sole proprietorship;

(i) written notice of any changes to the information set out in section 5.28(3) of the Bylaws [*Register of Registrant Firms*], and updated information as applicable, to be published on the Register.

(2) In granting a non-practising Registrant Firm's application for reinstatement of status as a practising Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may require

(a) the reinstated Registrant Firm to undergo a compliance audit pursuant to section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*], either

(i) immediately on being granted reinstatement of status as a practising Registrant Firm,

(ii) within 12 months of being granted reinstatement of status as a practising Registrant Firm,

(iii) at the time the reinstated Registrant Firm would have next undergone a compliance audit if it had not changed its category of registration to non-practising Registrant Firm, or

(iv) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee, and

(b) any Responsible Registrant(s) of the reinstated Registrant Firm to undertake the Regulation of Firms Training Program pursuant to section 7.7.1 of the Bylaws [*Regulation of Firms Training Program*], either

(i) within 12 months of being granted reinstatement of status as a practising Registrant Firm,

(ii) at the time the Responsible Registrant(s) of the reinstated Registrant Firm would have next been required to undertake the Regulation of Firms Training Program if the reinstated Registrant Firm had not changed its category of registration to non-practising Registrant Firm, or

(iii) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(3) Upon being granted reinstatement of status as a practising Registrant Firm, a reinstated Registrant Firm must have an up-to-date Professional Practice Management Plan in place that meets the requirements set out in sections 7.7.3(1) and ~~7.7.3~~(2) of the Bylaws [*Professional Practice Management Plan*].

5.25 Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee

(1) An individual whose enrolment as a Trainee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a Trainee:

(a) an application for reinstatement;

(b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) evidence satisfactory to the Credentials Committee

(i) of the Applicant's identity and legal name, if not previously submitted, and

(ii) that the Applicant is of good character and good repute.

(2) An Applicant whose registration as a non-practising Registrant or a life member or life limited licensee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a non-practising Registrant or a life member or life limited licensee, as applicable:

(a) an application for reinstatement;

(b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee

(i) of the Applicant's identity and legal name, if not previously submitted, and

(ii) that Applicant is of good character and good repute.

5.26 Ceasing Status as a Registrant

(1) An individual Registrant seeking cancellation of the individual Registrant's enrolment or registration with EGBC must apply in writing to the Registrar for cancellation of enrolment or registration.

(2) A Registrant Firm seeking cancellation of the Registrant Firm's registration and Permit to Practice with EGBC must apply in writing to the Audit and Practice Review Committee for cancellation of the Registrant Firm's registration and Permit to Practice, which must be signed by the Responsible Officer of the Registrant Firm.

(3) A request made by a Registrant Firm pursuant to subsection (2) must state:

(a) the reason(s) that the Registrant Firm is seeking cancellation of the Registrant Firm's registration and Permit to Practice, and

(b) a list of all ongoing activities or work related to the Regulated Practice in which the Registrant Firm is involved.

5.27 Register of Individual Registrants

(1) The Registrar must maintain a Register of all current and former individual Registrants and Recent Historical Members.

(2) A former individual Registrant or Recent Historical Member must be listed on the Register for 10 calendar years after the calendar year in which the former individual Registrant or Recent Historical Member ceased to be registered with EGBC.

(3) Despite subsection (1), the Register must not include former Trainees.

(4) For a currently registered individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the individual Registrant's professional designation;

(b) if an individual Registrant is a professional licensee engineering or a professional licensee geoscience, the authorized area of practice identified on the individual Registrant's licence;

(c) the original discipline of the individual Registrant's registration;

(d) for all Registrants with the right to engage in the Reserved Practice, the individual Registrant's self-declared industry or industries of practice and area(s) of practice;

(e) the municipality, province or state, and country in which the individual Registrant is based;

(f) if applicable, the name of the individual Registrant's employer;

(g) for all Registrants with the right to engage in the Reserved Practice, as well as Trainees, business contact information for the individual Registrant, which may be provided by way of the individual Registrant's

(i) business email address,

(ii) business telephone number,

(iii) business mailing address, or

(iv) business website, if the business website contains any of the business contact information for the individual Registrant that is listed in ~~paragraphs~~ subsections (g)(i) to (iii);

(h) the later of the date on which the individual Registrant was first granted

(i) enrolment as a Trainee, or

(ii) registration as a Registrant other than a Trainee;

(i) the start date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;

(j) the expiry date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;

(k) the date(s) of any:

(i) expiration(s) of the individual Registrant's registration;

(ii) cancellation(s) of the individual Registrant's registration; or,

(iii) suspension(s) of the individual Registrant's registration;

(l) any Disciplinary Order(s) respecting the individual Registrant.

(5) For a former individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the former individual Registrant's former professional designation(s);

(b) if the former individual Registrant was a professional licensee engineering or a professional licensee geoscience, the authorized area of practice that was previously identified on the former individual Registrant's licence;

(c) the original discipline of the former individual Registrant's registration;

(d) the municipality, province or state, and country in which the former individual Registrant was based;

(e) the date on which the former individual Registrant was first granted registration;

(f) the date(s) of any

(i) expiration(s) of the former individual Registrant's registration;

(ii) cancellation(s) of the former individual Registrant's registration; or,

(iii) suspension(s) of the former individual Registrant's registration;

(g) any Disciplinary Order(s) respecting the former individual Registrant.

(6) For a Recent Historical Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the Recent Historical Member's former professional designation(s);

(b) if the Recent Historical Member held a limited licence to practise professional engineering or geoscience pursuant to the EGA, the authorized area of practice identified on the Recent Historical Member's former licence;

(c) the original discipline of the Recent Historical Member's registration;

(d) the date on which the Recent Historical Member was first granted registration with EGBC;

(e) the date(s) of any:

(i) expiration(s) of the registration or membership of the Recent Historical Member;

(ii) cancellation(s) of the registration or membership of the Recent Historical Member; or,

(iii) suspension(s) of the registration or membership of the Recent Historical Member;

(f) any Disciplinary Order(s) respecting the Recent Historical Member.

(7) An individual Registrant may apply in writing to the Registrar to have the information listed in subsections (4)(e) to (g) omitted from the Register if the publication if such information would reasonably threaten the safety of the individual Registrant or another person.

(8) The information listed in subsections (4)(k), (4)(l), (5)(e), (5)(f), (6)(e), and (6)(f) must appear on the Register for as long as a Registrant is listed on the Register pursuant to subsections (1) and (2).

5.28 Register of Registrant Firms

(1) The Registrar must maintain a Register of all current and former Registrant Firms.

(2) A former Registrant Firm must be listed on the Register for 10 years after ceasing to be a Registrant Firm.

(3) For a currently registered Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the Registrant Firm's Permit to Practice Number;

(b) the Registrant Firm's self-declared industry or industries of practice and area(s) of practice;

(c) the municipality, province or state, and country in which the Registrant Firm's main office is located;

(d) the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Registrant Firm;

(e) the names of the Responsible Registrant(s) and the Responsible Officer of a Registrant Firm;

(f) the area(s) of practice to which each Responsible Registrant of the Registrant Firm is designated;

(g) the business contact information of the Responsible Registrant(s) and the Responsible Officer of the Registrant Firm, which may be provided by way of each Responsible Registrant's and the Responsible Officer's

(i) business email address,

(ii) business telephone number

(iii) business mailing address, or

(iv) business website, if the business website contains any of the business contact information listed in ~~paragraphs~~ subsections (i) to (iii) for the Responsible Registrant(s) or Responsible Officer.

(h) the date on which the Registrant Firm was first granted registration as a Registrant Firm;

(i) the start date of the Registrant Firm's current registration as a Registrant Firm;

(j) the expiry date of the Registrant Firm's current registration as a Registrant Firm;

(k) the date(s) of any:

(i) expiration(s) of the Registrant Firm's registration and Permit to Practice;

(ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;

(iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;

(iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the Registrant Firm from engaging in the Regulated Practice;

(l) any Disciplinary Order(s) respecting the Registrant Firm.

(4) For a former Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the former Registrant Firm's Permit to Practice Number;

(b) the municipality, province or state, and country in which the former Registrant Firm's main office was located;

(c) the names of the Responsible Registrant(s) and the Responsible Officer of the former Registrant Firm;

(d) the area(s) of practice to which each Responsible Registrant of the former Registrant Firm was designated;

(e) the date on which the former Registrant Firm was first granted registration as a Registrant Firm;

(f) the date(s) of any:

(i) expiration(s) of the Registrant Firm's registration and Permit to Practice;

(ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;

(iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;

(iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the former Registrant Firm from engaging in the Regulated Practice;

(g) any Disciplinary Order(s) respecting the former Registrant Firm.

(5) The information listed in subsections (3)(k), (3)(l), (4)(f), and (4)(g) must appear on the Register for as long as a Registrant Firm is listed on the Register pursuant to subsections (1) and (2).

5.29 Information Collected Annually and Published on the Register

(1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.27(4)(d), (e), (f), and (g) of the Bylaws [*Register of Individual Registrants*].

(2) An individual Registrant must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (1) within 30 days of the change taking effect.

(3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.28(3)(b), (c), (d), (e), (f), and (g) of the Bylaws [*Register of Registrant Firms*].

(4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (3) within 30 days of the change taking effect.

5.30 Information Collected Annually and not Published on the Register

(1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with

(a) the individual Registrant's personal and unique email address,

(b) a declaration confirming whether the Registrant has, within the previous 12-month period, been:

(i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,

(ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in

(A) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

(B) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or

(C) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or

(iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register.

(2) An individual Registrant must provide written notice to EGBC regarding any change to the individual Registrant's personal and unique email address within 30 days of the change taking effect.

(3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with

(a) the personal and unique email addresses of each Responsible Registrant and the Responsible Officer of the Registrant Firm,

(b) the names of all individual Registrants employed by or under contract with the Registrant Firm,

(c) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC, and

(d) A declaration confirming whether the Registrant Firm has, within the previous 12-month period, been:

(i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,

(ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or

(iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register except as required pursuant to section 5.28 of the Bylaws [*Register of Registrant Firms*].

(4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsections (3)(a) or (b) within 30 days of the change taking effect.

5.31 Failure to Provide Required Information

(1) An individual Registrant who fails to provide EGBC with any of the information required pursuant to section~~s~~ 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year,

(a) provide EGBC with the required information, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

(2) A Registrant Firm who fails to provide EGBC with any information required pursuant to section~~s~~ 5.29(3) of the Bylaws [*Information Collected Annually and Published on the*

Register] or section 5.30(3) of the Bylaws *[Information Collected Annually and not Published on the Register]* must, by 11:59 PM (Pacific Time) on June 30 of the same year,

(a) provide EGBC with the required information, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

(3) If a Registrant fails to comply with the requirements set out in subsections (1) or (2), as applicable, the Registrant's registration must be suspended, and, if the Registrant is a Registrant Firm, a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.

(4) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31 of the same year,

(a) the Registrant's registration is cancelled, or

(b) if the Registrant is a Trainee, the Trainee's enrolment is cancelled.

(5) If a Registrant Firm fails to comply with the requirements set out in subsection (2) by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrant Firm's registration and Permit to Practice are cancelled.

5.32 Information Collected Immediately and not Published on the Register

(1) A Registrant who is convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction, must immediately on becoming aware of the conviction provide written notice to EGBC specifying the particulars of the conviction.

(2) A Registrant who becomes the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in

(a) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

(b) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or

(c) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

must immediately on becoming aware of the investigation, inquiry, review, or proceeding provide written notice to EGBC and provide particulars of the issue.

(3) A Registrant who becomes the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process, must immediately upon reaching the agreement or becoming aware

of the disciplinary action, provide written notice to EGBC specifying the particulars of the agreement or disciplinary action.

(4) A Registrant Firm must provide written notice to EGBC within 15 days of the occurrence of any of the following situations:

(a) there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm;

(b) the Registrant Firm

(i) becomes the subject of an application for a bankruptcy order,

(ii) makes an assignment for the general benefit of creditors, or

(iii) makes or becomes the subject of a Division I or Division II proposal,

as set out in the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3.

5.33 Issuance of Certificate or Permit to Practice

(1) The Registrar must issue to an individual Registrant a certificate of registration and, on payment of the annual fee, confirmation that the Registrant is In Good Standing.

(2) The Registrar must issue to a Registrant Firm a Permit to Practice and, on payment of the annual fee, confirmation that the Registrant Firm is In Good Standing.

6 Fees

6.1 Application Fees

(1) An Applicant for enrolment, admission, or reinstatement of status as a Registrant pursuant to sections 5.5 to 5.16, 5.23, 5.24, or 5.25 of the Bylaws must send to EGBC the full amount of all applicable application, examination, interview, or course fees specified in Schedule C of the Bylaws.

(2) In addition to any fees applicable pursuant to subsection (1), a professional engineer who applies for designation as a designated structural engineer pursuant to section 5.6.1 of the Bylaws [*Designated Structural Engineer*] must send to EGBC the full amount of all applicable application and examination fees specified in Schedule C of the Bylaws.

6.2 Registration Fees

(1) Within 30 days of being granted registration as an individual Registrant other than a Trainee, an individual Registrant must send to EGBC the full amount of the applicable registration fee specified in Schedule C of the Bylaws.

(2) Within 30 days of being designated as a designated structural engineer, a designated structural engineer must send to EGBC the full amount of the applicable designation fee specified in Schedule C of the Bylaws.

6.3 Reconsideration and Review on the Record Fees

(1) An individual Applicant who applies for a reconsideration must send to EGBC the full amount of all applicable reconsideration fees specified in Schedule C of the Bylaws.

(2) An Applicant who applies for a review on the record must send to EGBC the full amount of all applicable review on the record fees specified in Schedule C of the Bylaws.

6.4 Annual Fees

(1) An individual Registrant must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.

(2) Subject to subsection (4), a Registrant Firm must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.

(3) A non-practising Registrant Firm that has held non-practising status for 2 years or less is exempt from paying the applicable annual fee.

(4) In addition to the annual fee set out in subsection (2), a Registrant Firm that was engaged in the Regulated Practice on or after July 1, 2021 but is not immediately registered pursuant to these Bylaws must pay the annual fee specified in Schedule C of the Bylaws

for each year or portion of a year, up to a maximum of 3 years, that the Registrant Firm would have been required to pay the annual fee to EGBC if the Registrant Firm had been granted registration on July 1, 2021.

(5) A Registrant that is granted enrolment, admission, or reinstatement of status at some time other than the beginning of the annual fee cycle must pay a prorated annual fee specified in Schedule C of the Bylaws within 30 days of being granted enrolment, admission, or reinstatement.

6.5 Special Assessments

(1) An individual Registrant must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.

(2) A Registrant Firm must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.

6.6 Additional Manual Seal(s) or Certificate(s)

(1) A Registrant who requires additional Manual Seal(s) or certificate(s) of registration from EGBC must send to EGBC the full amount of all applicable fees specified in Schedule C of the Bylaws at the time that the Registrant requests the additional Manual Seal(s) or certificate(s) of registration.

6.7 Exemption, Reduction, Deferral, or Refund of Fees

(1) On receiving a written application by an individual Applicant or Registrant, the Registrar may exempt, reduce, defer, or refund all or part of a fee or special assessment specified in Schedule C of the Bylaws if the Registrar is satisfied that the imposition of the fee or special assessment would cause undue financial hardship for the individual Applicant or Registrant, or if there are extenuating circumstances that warrant the exemption, reduction, deferral, or refund.

(2) On receiving a written application by a Registrant Firm, the Registrar may waive payment of all or part of a fee for the Registrant Firm specified in section~~s~~ 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) or~~,~~ ~~6.4~~(4) of the Bylaws [*Annual Fees*], section 6.5(2) of the Bylaws [*Special Assessments*], or Schedule C of the Bylaws [*Fees*], pursuant to section 50(1)(h) of the PGA [*Fees and special assessments*], if the Registrar is satisfied that

(a) the Registrant Firm was a member of EGBC's Organizational Quality Management Program as of June 30, 2021, and

(b) the Registrant Firm had paid all outstanding fees and any amounts owing pursuant to its membership in the Organizational Quality Management program as of June 30, 2021.

(3) A Registrant Firm is not eligible to apply for the reduction, deferral, or refund of fees or special assessments, except in accordance with subsection (2).

6.8 Failure to Pay Fees

(1) An individual Registrant who fails to pay the full amount of an applicable annual fee or special assessment pursuant to section~~s~~ 6.4(1) of the Bylaws [*Annual Fees*] or section 6.5(1) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and the applicable late fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on January 31 of the following year.

(2) Pursuant to section 31(4)(b) of the PGA [*Registrar and register for regulatory body*], if a Registrant fails to pay a required

(a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registrant Fees*],

(b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registrant Fees*],

(c) for an individual Registrant, a prorated annual fee pursuant to section 6.4(5) of the Bylaws [*Annual Fees*], or

(d) annual fee, special assessment, or late fee pursuant to section 6.8(1) of the Bylaws [*Failure to Pay Fees*],

the Registrar must cancel the Registrant's registration, or if the Registrant is a Trainee, the Trainee's enrolment, or if the Registrant is a Registrant Firm, the Registrant Firm's registration and Permit to Practice.

(3) A Registrant Firm or a non-practising Registrant Firm that fails to pay the full amount of an applicable annual fee or special assessment pursuant to sections 6.4(2)~~,~~ or ~~6.4~~(4) of the Bylaws [*Annual Fees*], or section 6.5(2) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and late fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on June 30 of the same year.

(4) If a Registrant Firm or non-practising Registrant Firm fails to comply with the requirements set out in subsection (3), the Registrar must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until all fees outstanding pursuant to subsection (3) have been paid.

(5) Pursuant to section 31(4)(b) of the PGA [*Registrar and register for regulatory body*], if a Registrant Firm or non-practising Registrant Firm that is subject to a condition prohibiting it from engaging in the Regulated Practice pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.

7 Standards of Conduct and Competence

7.1 Definitions

(1) For the purpose of this Part, "Registrant" includes a former Registrant where applicable, pursuant to section 56(1) of the PGA [*Definition and Application*].

7.2 Code of Ethics

(1) A Registrant must adhere to the Code of Ethics as set out in Schedule A of the Bylaws.

7.3 Standards of Competence – Quality Management Requirements

(1) The standards of competence - quality management requirements set out in sections 7.3.1 to 7.3.8 of the Bylaws are established pursuant to section 57(1)(b) of the PGA [*Standards of Conduct and Competence*].

(2) A Registrant must comply with the standards of competence set out in sections 7.3.1 to 7.3.~~7~~8 of the Bylaws at all times while engaged in the Regulated Practice.

(3) A non-practising Registrant Firm is exempt from the requirements set out in sections 7.3.1, 7.3.3, 7.3.4(4)(a), 7.3.4(4)(b), 7.3.4(4)(c), 7.3.5, 7.3.6, and 7.3.8 of the Bylaws while maintaining its non-practising status and not engaged in the Regulated Practice.

7.3.1 Standard for Use of Professional Practice Guidelines

(1) EGBC shall publish professional practice guidelines approved by the Council on a public website maintained by EGBC and shall update professional practice guidelines as necessary.

(2) A Professional Registrant must have regard for applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), by establishing, maintaining, and following documented procedures in order to do all of the following:

(a) stay informed of, knowledgeable about, and meet the intent of all applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), that are relevant to the Professional Registrant's Regulated Practice;

(b) document in writing the reason(s) for a departure from any relevant portion of a professional practice guideline published pursuant to subsection (1).

(3) A Registrant Firm must do all of the following:

(a) establish, maintain, and follow documented policies and procedures in order to

(i) obtain information and details in a timely manner regarding professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm, and

(ii) inform the Professional Registrants employed by or under contract with the Registrant Firm in a timely and effective manner of professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm;

(b) take reasonable steps to facilitate all Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsection (2).

7.3.2 Standard for Retention and Preservation of Complete Project Documentation

(1) A Professional Registrant must establish, maintain, and follow documented procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Professional Registrant, including copies of physical or electronic versions of

(a) correspondence,

(b) investigations,

(c) surveys,

(d) reports,

(e) data,

(f) background information,

(g) assessments,

(h) designs,

(i) specifications,

(j) documentation related to reviews, including independent reviews and field reviews,

(k) testing information,

(l) models,

(m) simulations,

(n) quality assurance documentation,

(o) drawings,

(p) calculations, and

(q) copies of all Authenticated Documents.

(2) A Registrant Firm must establish, maintain, and follow documented policies and procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Registrant Firm, including copies of physical or electronic versions of

(a) correspondence,

(b) investigations,

(c) surveys,

(d) reports,

(e) data,

(f) background information,

(g) assessments,

(h) designs,

(i) specifications,

(j) documentation related to reviews, including independent reviews and field reviews,

(k) testing information,

(l) models,

(m) simulations,

(n) quality assurance documentation,

(o) drawings,

(p) calculations, and

(q) copies of all Authenticated Documents.

(3) Complete project documentation must be retained and preserved for at least 10 years after the later of the completion of the project or when the documentation is no longer used.

(4) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies, plans, and procedures

(i) in order to ensure that, if any of the situations set out in section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*] occur with respect to a Registrant Firm, complete project documentation is preserved in accordance with subsection (3) and such documentation is accessible in the event of a request pursuant to the PGA or Bylaws, and

(ii) for all individuals employed by or under contract with the Registrant Firm to follow in relation to the retention and preservation of complete project documentation and the obligations of Professional Registrants and Registrant Firms pursuant to this section of the Bylaws;

(b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) and (3).

(5) A Professional Registrant who is employed by or under contract with a Registrant Firm may satisfy their obligations pursuant to this section of the Bylaws with respect to any project documentation produced during the course of their employment or contract with the Registrant Firm by

(a) taking reasonable steps to confirm that

(i) the Registrant Firm has in place documented policies and procedures for the retention and preservation of all project documentation produced by the Professional Registrant during the course of or related to their employment or contract with the Registrant Firm, and

(ii) that the documented policies and procedures referred to in ~~paragraph~~ subsection (a)(i) are in accordance with the requirements set out in subsections (2), (3), and (4), and

(b) consistently adhering to the documented policies and procedures of the Registrant Firm with respect to retention and preservation of project documentation established pursuant to subsection (4)(a) during the course of the Professional Registrant's employment or contract with the Registrant Firm.

(6) A Professional Registrant who ceases to be employed by or under contract with a Registrant Firm may continue to satisfy their obligation to retain and preserve complete project documentation pursuant to subsection (3) by ensuring that

(a) an agreement is in place with the Registrant Firm regarding the retention and preservation of all project documentation produced by the Professional Registrant during the course of their employment or contract with the Registrant Firm, and

(b) the agreement referenced in ~~paragraph~~ subsection (a) requires either the Professional Registrant or the Registrant Firm, or both, to retain and preserve all project documentation in accordance with the requirements of this section of the Bylaws.

7.3.3 Standard for Field Reviews

(1) Field reviews must be completed during the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice by a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, in a manner that is appropriate to the level of risk that has been assessed through a documented risk assessment.

(2) If applicable pursuant to subsection (1), a Professional Registrant must establish, maintain, and follow documented procedures for documented field reviews of work related to the Regulated Practice in British Columbia.

(3) Through a field review, a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, must determine whether the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice substantially complies with the concepts or intent reflected in the Documents prepared for the work related to the Regulated Practice.

(4) If applicable pursuant to subsection (1), a Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to field reviews and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include:

(i) process flowcharts,

(ii) checklists, or

(iii) forms;

(b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3).

7.3.4 Standard for Checks

(1) A Professional Registrant must establish, maintain, and follow documented procedures for regular, documented checks of the Professional Registrant's work related to the Regulated Practice using a written quality control process appropriate to the level of risk that has been assessed through a documented risk assessment.

(2) The procedures established pursuant to subsection (1) must include:

(a) how risk will be assessed;

(b) the minimum frequency for checks to be conducted, dependent on the degree of risk assessed pursuant to (a);

(c) the required qualifications of the checker;

(d) how the check will be documented, including:

(i) who conducted the check;

(ii) the date that the check was completed;

(iii) what was checked; and

(iv) issues identified by the checker, if any;

(v) correction(s) and corrective action(s), if any, in response to issues identified by the checker.

(e) what must be checked, including but not limited to:

(i) input requirements;

(ii) input data;

(iii) calculations;

(iv) drawings;

(v) assessments;

(vi) designs;

(vii) software outputs;

(viii) communications that include directives, recommendations, or opinions related to the Regulated Practice;

(ix) reports;

(x) recommendations; and,

(xi) other activities or work related to the Regulated Practice, including activities or work related to manufacturing, high technology, computer software development, operations, and maintenance activities.

(3) A Professional Registrant must ensure that a documented check has been conducted in accordance with the procedures established pursuant to subsection (1) on all activities or work related to the Regulated Practice that will be issued or delivered to any other party.

(4) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to documented checks and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) process flowcharts,

(ii) checklists, or

(iii) forms;

(b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures established pursuant to ~~paragraph~~ subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);

(d) retain complete documentation related to checks conducted by any Professional Registrant employed by or under contract with the Registrant Firm, in accordance with section 7.3.2 of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.5 Standard for Independent Review(s) of Structural Designs

(1) All Structural Designs require documented independent review(s) prior to Documents being issued for construction or implementation.

(2) Despite subsection (1), EGBC may identify classes of Structures that do not require documented independent review(s) of Structural Designs.

(3) A Professional of Record must do all of the following:

(a) complete a documented risk assessment after conceptual design and before detailed design of a Structural Design to determine the following:

(i) the appropriate frequency for the required documented independent review(s) of the Structural Design;

(ii) whether the required documented independent review(s) of the Structural Design must be conducted by

(A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by the same Firm employing the Professional of Record, or

(B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record;

(b) record their rationale for the determinations made pursuant to ~~paragraphs~~ subsections (a)(i) and (ii);

(c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);

(d) communicate the actions and rationale documented pursuant to ~~paragraph~~ subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;

(e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;

(f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;

(g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(4) Despite subsection (3)(b), EGBC may identify classes of Structures for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record.

(5) Documented independent review(s) of Structural Designs must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standards for Checks*].

(6) If applicable pursuant to subsection (1) and not exempted pursuant to subsection (2), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of Structural Designs.

(7) A Professional Registrant tasked with completing a documented independent review of a Structural Design must

(a) have appropriate experience in the type and scale of the Structural Design subject to the documented independent review,

(b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,

(c) evaluate any related Documents to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements,

(d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner,

(e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC, and

(i) provide this documented record to

(A) the Professional of Record, and

(B) the authority having jurisdiction, if requested, and

(ii) retain and preserve this documented record for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for the Retention and Preservation of Complete Project Documentation*],

(f) examine representative samples of the structural assumptions, continuity of gravity and lateral load paths, stability, and detailing, and

(g) perform numerical calculations on a sample of gravity and lateral force resisting elements necessary to satisfy any concerns of the Professional Registrant tasked with completing the documented independent review, as appropriate.

(8) While a documented risk assessment and a documented independent review of each instance of repetitive designs of individual structural components is not required,

(a) the maintenance of design quality must be confirmed through

(i) an initial documented initial risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals,

(b) a documented process must be in place that identifies the criteria used to determine what types of designs are considered repetitive and the interval frequency for maintaining the design quality, and

(c) the documented record produced through

(i) the initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals

must be retained and preserved for a minimum of 10 years after the last use of the repetitive design and made available to any person using the Structural Design, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(9) If applicable pursuant to subsection (1), and not exempted pursuant to subsection (2), a Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of structural designs and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) checklists, or

(ii) signoff forms;

(b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the documented independent review;

(c) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(d) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);

(e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to

(i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,

(ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and

(iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.6 Standard for Independent Review(s) of High-Risk Professional Activities or Work

(1) A professional activity or work that has been identified by a Professional of Record as high-risk through a documented risk assessment requires documented independent review(s) before the professional activity or work is submitted to those who will be relying on it.

(2) Despite subsection (1), EGBC may establish criteria for professional activities or work, or identify specific professional activities or work, that

(a) do not require documented independent review(s), or

(b) require documented independent review(s), even if the professional activities or work are not identified by a Professional of Record as high-risk through a documented risk assessment.

(3) A Professional of Record must do all of the following:

(a) complete a documented risk assessment prior to the initiation of a professional activity or work to determine the following:

(i) whether a professional activity or work is high-risk;

(ii) if documented independent review(s) of the professional activity or work is required, the appropriate frequency for the required documented independent review(s);

(iii) if documented independent review(s) of the professional activity or work is required, whether the required documented independent review(s) must be conducted by

(A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by the same Firm employing the Professional of Record, or

(B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record;

(b) record their rationale for the determinations made pursuant to ~~paragraphs~~ subsections (a)(i), (ii), and (iii)~~, and (iv)~~;

(c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);

(d) communicate the actions and rationale documented pursuant to ~~paragraph~~ subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;

(e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;

(f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;

(g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(4) Despite subsection (3)(a~~c~~)(iii), EGBC may identify specific professional activities or work for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record.

(5) Documented independent review(s) of a professional activity or work must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standard for Checks*].

(6) If applicable pursuant to subsection (1) or (2)(b) and not exempted pursuant to subsection (2)(a), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of a professional activity or work.

(7) A Professional Registrant tasked with completing a documented independent review of a professional activity or work must

(a) have appropriate experience in the type and scale of the professional activity or work subject to the documented independent review,

(b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,

(c) evaluate any Documents related to the professional activity or work to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements, and

(d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner

(e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC and

(i) provide this documented record to

(A) the Professional of Record, and

(B) the authority having jurisdiction, if requested, and

(ii) retain and preserve this documented record for a period of 10 years, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(8) While a documented risk assessment and a documented independent review of each instance of repetitive professional activities or work is not required,

(a) the maintenance of activity or work quality must be confirmed through

(i) an initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals,

(b) a documented process must be in place that identifies the criteria used to determine what types of professional activities or work are considered repetitive and the interval frequency for maintaining the activity or work quality, and

(c) the documented record produced through

(i) the initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals

must be retained and preserved for a minimum of 10 years after the last use of the repetitive professional activity or work and made available to any person undertaking the professional activity or work, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(9) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of high-risk professional activities or work and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) checklists, or

(ii) signoff forms;

(b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the review;

(c) ensure that Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(d) take reasonable steps to facilitate Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);

(e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to

(i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,

(ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and

(iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.7 Standard for Issuance of Manual Seal, Authenticating Documents, and Use of Permit to Practice Number

(1) EGBC may provide a Professional Registrant In Good Standing with a Manual Seal bearing the following information:

(a) the Professional Registrant's first initial(s), middle initial(s), and last name(s);

(b) the words "professional engineer", "professional geoscientist", "professional licensee engineering", or "professional licensee geoscience", as applicable.

(2) EGBC retains ownership of a Manual Seal issued by EGBC.

(3) A Professional Registrant must establish, maintain, and follow documented procedures related to a Professional Registrant's Manual Seal, a Professional Registrant's Digital Seal, and Authenticating Documents, in accordance with the requirements set out in this section of the Bylaws.

(4) Only a Professional Registrant may Authenticate a Document.

(5) A Professional Registrant must Authenticate

(a) a Document that

(i) the Professional Registrant has prepared in their professional capacity or has been prepared under their Direct Supervision,

(ii) contains content related to the Regulated Practice, and

(iii) will be relied on by others, or

(b) a Document that is otherwise required to be Authenticated by applicable legislation, associated regulations, the Bylaws, or standards approved by the Council.

(6) Despite subsection (5), a Professional Registrant who is a professional licensee engineering or a professional licensee geoscience must not Authenticate Documents outside the authorized area of practice identified on their licence.

(7) If a deliverable is provided in a format that cannot be reasonably read by an individual, a Professional Registrant must adhere to an authentication process that has been prescribed by standards or guidelines approved by the Council.

(8) A Professional Registrant must not charge a fee for only Authenticating a Document.

(9) With respect to Manually Authenticating, a Professional Registrant must not allow another person to apply any of the following:

(a) the Professional Registrant's Manual Seal, or a likeness or digital image of the Professional Registrant's Manual Seal, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization;

(b) the Professional Registrant's handwritten signature, or a likeness of the Professional Registrant's handwritten signature, under any circumstances;

(c) the date of Authentication, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization.

(10) With respect to Digitally Authenticating, a Professional Registrant must not allow another person to do any of the following:

(a) apply the Professional Registrant's Digital Certificate under any circumstances;

(b) gain access to the Professional Registrant's Digital Certificate or to any password, PIN, or other factor used to secure access to or control over the Professional Registrant's Digital Certificate, under any circumstances.

(11) In the event of suspension or cancellation of a Professional Registrant's registration,

(a) the Professional Registrant must return their Manual Seal to EGBC upon request,

(b) EGBC will disable any Digital Certificate issued to the Professional Registrant for the period of the suspension or cancellation, and

(c) the Professional Registrant must not Authenticate any Document for the period of the suspension or cancellation.

(12) A Registrant must ensure that any Manual Seal and any Digital Certificate issued to them remains secure and under their sole control at all times.

(13) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for all individuals employed by or under contract with the Registrant Firm to follow in relation to the use of a Manual Seal, the use of a Digital Seal, the Authentication of Documents, and the obligations of Professional Registrants pursuant to subsections (1) to (12);

(b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(c) take reasonable steps to facilitate the individual Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of individual Registrants pursuant to subsections (1) to (12).

(14) If a Professional Registrant employed by or under contract with a Registrant Firm Authenticates a Document on behalf of the Registrant Firm, the Registrant Firm's Permit to Practice Number must be applied visibly to the Document.

(15) Only the following individuals may apply a Registrant Firm's Permit to Practice Number to a Document:

(a) a Responsible Registrant of the Registrant Firm;

(b) an individual employed by or under contract with the Registrant Firm who is authorized to apply the Registrant Firm's Permit to Practice Number in accordance with the Registrant Firm's ~~Permit to~~Professional Practice Management Plan.

(16) A Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15).

(17) If a Registrant Firm has reasonable and probable grounds to believe that any person has applied the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15), the Registrant Firm must report the person to EGBC and provide EGBC with any information requested by EGBC regarding the circumstances of the application of the Permit to Practice Number.

(18) In the event that a Registrant Firm's registration and Permit to Practice are cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice,

(a) the Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document,

(b) the Registrant Firm must not allow or cause the Registrant Firm's Permit to Practice Number to appear on any communication, website, document, or in any other manner that could suggest that the Registrant Firm's registration and Permit to Practice Number are not cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice and

(c) a Professional Registrant must not

(i) apply the Registrant Firm's Permit to Practice Number to a Document, or

(ii) authorize another Professional Registrant to apply the Registrant Firm's Permit to Practice Number to a Document.

7.3.8 Standard for Delegation and Direct Supervision

(1) A Professional Registrant who will Delegate work or decisions related to the Regulated Practice to a Subordinate must establish, maintain, and follow documented procedures for

Delegation and Direct Supervision in accordance with the requirements set out in this section of the Bylaws.

(2) A Professional Registrant must ensure that work or decisions related to the Regulated Practice that are Delegated to a Subordinate are carried out under the Direct Supervision of the Professional Registrant.

(3) A professional licensee engineering or professional licensee geoscience may only provide Direct Supervision of work or decisions related to the Regulated Practice that are within the authorized area of practice on their licence.

(4) If any Professional Registrants employed by or under contract with a Registrant Firm will Delegate work or decisions related to the Regulated Practice to a Subordinate, or if the Registrant Firm employs any individuals who will act as a Subordinate, the Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants and Subordinates employed by or under contract with the Registrant Firm to follow in relation to Delegation, Direct Supervision, and the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);

(b) ensure that the Professional Registrants and Subordinates employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to ~~paragraph~~ subsection (a);

(c) take reasonable steps to facilitate Professional Registrants and Subordinates employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants and Subordinates pursuant to subsections (1), (2), and (3).

7.4 Practice Advice Program

(1) The Practice Advice Program consists of the following components:

(a) Practice Advisors will receive and respond to professional or ethical inquiries of Registrants through email, telephone, or in person, with responses being

(i) provided either immediately or after consultation with appropriate parties, and

(ii) to the best of their knowledge, in compliance with current legislative requirements, regulatory requirements, and standards and guidelines issued by EGBC;

(b) documentation dealing with professional or ethical issues must be made available to Registrants on a public website maintained by EGBC, including professional practice guidelines, ethical guidelines, practice advisories, frequently asked questions, or magazine publications, on a basis determined by EGBC;

(c) training sessions dealing with professional or ethical issues must be made available to Registrants through webinars or in person workshops, on a basis determined by EGBC.

(2) The Practice Advice Program excludes the following subjects:

(a) legal advice, including legal advice on commercial law, employment law, or criminal law issues;

(b) endorsement or checking of activities or work related to the Regulated Practice;

(c) employment terms or conditions;

(d) mediation or resolution of disputes between Registrants and others, including clients, owners, and employers.

(3) Any information exchanged in a professional or ethical inquiry received pursuant to subsection (1)(a) may be retained by EGBC.

7.5 Professional Liability Insurance and Secondary Professional Liability Insurance

(1) Before entering into an agreement to provide services related to the Regulated Practice to the public, a Professional Registrant or a Registrant Firm must provide written notice to a client regarding whether

(a) the Professional Registrant or the Registrant Firm holds professional liability insurance, and

(b) if the Professional Registrant or the Registrant Firm does hold professional liability insurance, whether the professional liability insurance is applicable to the services related to the Regulated Practice that are in question.

(2) The written notice provided by a Professional Registrant or a Registrant Firm pursuant to subsection (1) must include a provision for an acknowledgement of the written notice to be signed by the client.

(3) There is established a category of professional liability insurance, separate from the professional liability insurance mentioned in subsection (1), referred to as secondary professional liability insurance, that all Registrants, except Registrant Firms, must carry and maintain.

(4) The Council may

(a) establish the terms, conditions, policies and procedures applicable to the secondary professional liability insurance program,

(b) require that the secondary professional liability insurance program, subject to the terms and conditions of the policy, provide coverage to Registrants who would otherwise have no professional liability insurance coverage for claims against them, and

(c) establish the fees to be paid by Registrants, for the secondary professional liability insurance program.

7.6 Continuing Education Program

7.6.1 Commencement of the Continuing Education Program

(1) The first Reporting Year and Three-Year Rolling Period commence on July 1, 2021.

7.6.2 Categories of Registrants Exempt from the Continuing Education Program

(1) The following categories of individual Registrants are not required to complete any of the continuing education program requirements set out in this section of the Bylaws:

(a) Trainees;

(b) life members or life limited licensees.

7.6.3 Mandatory Continuing Education Hours and Activities for Professional Registrants

(1) In each Three-Year Rolling Period, a Professional Registrant must complete at least 60 Continuing Education Hours.

(2) In each Reporting Year, a Professional Registrant must complete at least one Continuing Education Hour of Ethical Learning.

(3) In each Reporting Year, a Professional Registrant must complete at least one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].

(4) The mandatory Continuing Education Hours required pursuant to subsection (1) may include Continuing Education Hours related to Technical Learning or Communications and Leadership Learning.

(5) In order for the Continuing Education Hours required pursuant to subsection (1) to be considered complete, an individual Registrant must record in EGBC's electronic system the following information about the Continuing Education Activities associated with the Continuing Education Hours:

(a) the date(s) of each Continuing Education Activity;

(b) the provider or source of each Continuing Education Activity;

(c) the number of Continuing Education Hours earned from each Continuing Education Activity; and

(d) whether each Continuing Education Activity involved Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

7.6.4 Mandatory Continuing Education Plan for Professional Registrants

(1) In each Reporting Year, a Professional Registrant must complete a continuing education plan which sets out all of the following information:

(a) the Professional Registrant's area(s) of practice, including any anticipated changes;

(b) a declaration that the Registrant has assessed the risks of the Registrant's Regulated Practice to the public and the environment;

(c) a description as to how the Professional Registrant has assessed the risks identified in subsection (b);

(d) the Professional Registrant's learning goals and priorities; and

(e) the Continuing Education Activities that the Professional Registrant plans to undertake in order to advance the learning goals and priorities identified in subsection (d).

(2) A Professional Registrant must electronically submit the continuing education plan required pursuant to subsection (1) to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year.

7.6.5 Mandatory Continuing Education Hours and Activities for Designated Structural Engineers

(1) In addition to the continuing education program requirements for Professional Registrants set out in section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] and section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], a Professional Registrant who is a designated structural engineer must complete 60 Continuing Education Hours of Technical Learning related to their structural engineering area(s) of practice in each Three-Year Rolling Period.

7.6.6 Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants

(1) In each Three-Year Rolling Period, a non-practising individual Registrant must complete, at a minimum,

(a) one Continuing Education Hour of Ethical Learning, and

(b) one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].

7.6.7 Continuing Education Program Declaration

(1) All individual Registrants who are not exempted from the Continuing Education Program pursuant to section 7.6.2(1) of the Bylaws [*Categories of Registrants Exempt from the Continuing Education Program*] must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm

(a) the number of completed Continuing Education Hours the individual Registrant is reporting for that Reporting Year,

(b) that the individual Registrant has recorded the details of the Continuing Education Activities associated with the declared Continuing Education Hours pursuant to section 7.6.3(5) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*],

(c) that the individual Registrant has uploaded a valid and up-to-date CE Plan pursuant to section 7.6.4(2) of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], and

(d) that the information provided by the individual Registrant pursuant to this section is true and correct to the best of the individual Registrant's knowledge.

(2) All individual Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 5 years after the continuing education program declaration was made.

7.6.8 Applications for Exemptions from the Continuing Education Program

(1) An individual Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, or 7.6.7 of the Bylaws [*Continuing Education Program*]for a specified Reporting Year by

(a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant was on parental leave, medical leave, or compassionate care leave for at least 6 months during the Reporting Year, or

(b) the Audit and Practice Review Committee, if the individual Registrant

(i) was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or

(ii) has other extenuating circumstances.

(2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on April 30 of the applicable Reporting Year.

(3) If an exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.

7.6.9 Failure to Submit a Continuing Education Program Declaration

(1) An individual Registrant who fails to submit a continuing education program declaration pursuant to section 7.6.7(1) of the Bylaws [*Continuing Education Program Declaration*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year, but has otherwise completed all applicable requirements of the continuing education program, must

(a) submit the continuing education program declaration, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete.

(3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.

7.6.10 Late Exemption from Continuing Education Plan, Hours, or Activities

(1) An individual Registrant who fails to comply with the obligations pursuant to sections 7.6.3, 7.6.4, 7.6.5, or 7.6.6 Bylaws, as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year may be granted a late exemption from any or all of these requirement(s) on an annual basis by the Audit and Practice Review Committee, if the individual Registrant

(a) was on parental leave, medical leave, or compassionate care leave during the Reporting Year, or

(b) has other extenuating circumstances.

(2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on July 31 in the following Reporting Year.

(3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.

(4) An individual Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.

(5) The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if an individual Registrant

(a) failed to apply for an exemption by the deadline specified in section 7.6.8(2) of the Bylaws [*Applications for Exemptions from the Continuing Education Program*] due to extenuating circumstances,

(b) submitted an application to be granted an exemption in writing to EGBC by 11:59 PM (Pacific Time) on the last day of the Reporting Year, and

(c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).

7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities

(1) An individual Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] , section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*] or section 7.6.6~~,~~ of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

(a) complete and submit a continuing education plan,

(b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,

(c) submit a continuing education program declaration,

(d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and

(e) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.

(3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.

(4) A designated structural engineer who fails to complete required Technical Learning activities pursuant to section 7.6.5(1) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10(1) of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

(a) complete the required Technical Learning activities,

(b) submit a continuing education program declaration,

(c) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and

(d) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), the designated structural engineer's designation as a designated structural engineer must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.

(6) If a designated structural engineer fails to comply with the requirements set out in subsection (4) by 11:59 PM (Pacific Time) on December 31, the designated structural engineer's designation as a designated structural engineer is cancelled.

(7) If an individual Registrant is required to complete a continuing education plan, Continuing Education Hours, Ethical Learning activities, Regulatory Learning activities, or Technical Learning activities to fulfill a requirement for the previous Reporting Year, these cannot be applied to fulfill a requirement for the Reporting Year in which they are completed.

7.6.12 Avoiding or Delaying a Suspension

(1) If an individual Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(1)~~,~~ or ~~7.6.11~~(4) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that

(a) the individual Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section~~,~~ 7.6.11(2)~~,~~ or ~~7.6.11~~(5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*], or

(b) the individual Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], 7.6.11(2)~~,~~ or ~~7.6.11~~(5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] be delayed for a specified period of time.

(2) At least 60 days before a suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2)~~,~~ or ~~7.6.11~~(5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] can take effect, the Audit and Practice Review Committee must deliver to the individual Registrant written notice of

(a) the date on which the suspension will take effect,

(b) the reasons for the suspension, and

(c) the deadline by which the individual Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1).

7.6.13 Newly Registered Individual Registrants

(1) For an individual Registrant who is first granted registration with EGBC between July 1 and December 31 in a Reporting Year, the first Reporting Year and the first Three-Year Rolling Period are deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC.

(2) For an individual Registrant who is first granted registration with EGBC between January 1 and April 30 in a Reporting Year,

(a) the first Reporting Year is deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC, and

(b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.

(3) For an individual Registrant who is first granted registration with EGBC between May 1 and June 30 in a Reporting Year,

(a) the first Reporting Year is deemed to begin on July 1 of the next Reporting Year, and

(b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.

(4) [Repealed 2022-04-22]

7.6.14 Mandatory Regulatory Learning Modules

(1) EGBC will facilitate the development, maintenance, and updating of a series of mandatory Regulatory Learning modules to enable

(a) a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [*Mandatory Continuing Education Hours, and Activities for Professional Registrants*], and

(b) a non-practising Registrant or a life member or life limited licensee to meet the requirement set out in section 7.6.6(1)(b) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*].

(2) The series of mandatory Regulatory Learning modules referred to in subsection (1) must be designed to ensure that there is at least one Regulatory Learning module in each Three-Year Rolling Period that focuses on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.15 Optional Continuing Education Opportunities

(1) EGBC will facilitate the offering of other continuing education opportunities related to Ethical Learning, Regulatory Learning, Communications and Leadership Learning, and Technical Learning.

(2) The continuing education opportunities offered pursuant to subsection (1) will include education opportunities related to knowledge and guidance on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.16 Continuing Education Program by Registrant Firms

(1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in

(a) meeting the individual Registrants' continuing education program requirements pursuant to sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, and 7.6.7 of the Bylaws, as applicable, and

(b) maintaining the individual Registrants' competency with respect to the role(s) of the individual Registrants and the activities or work engaged in by the individual Registrants on behalf of the Registrant Firm.

(2) Each year, a Registrant Firm that has more than one Professional Registrant employed or under contract with the Registrant Firm must conduct a documented review with each Professional Registrant employed by or under contract with the Registrant Firm, in order to confirm that the Professional Registrant is maintaining the Professional Registrant's competency with respect to the Regulated Practice.

(3) A Registrant Firm must retain all documentation that supports a documented review of a Professional Registrant conducted pursuant to subsection (2) for a minimum of 5 years after the documented review was completed.

(4) A non-practising Registrant Firm is exempt from the requirements in this section of the Bylaws while maintaining its non-practising status.

7.7 Permit to Practice Requirements

7.7.1 Regulation of Firms Training Program

(1) Each Responsible Registrant designated by a Registrant Firm upon the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within

(a) 12 months of the date that the Permit to Practice is issued to the Registrant Firm, and

(b) every 5 years thereafter.

(2) Each Responsible Registrant designated by a Registrant Firm after the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within

(a) 3 months of the date that the ~~written notice of the~~ Responsible Registrant's ~~designation~~ declaration is submitted to EGBC, and

(b) every 5 years thereafter.

(3) An individual who is a Responsible Registrant for more than one Registrant Firm may complete the Regulation of Firms Training Program for more than one Registrant Firm at the same time.

(4) A non-practising Registrant Firm and any individuals designated as a Responsible Registrant of the non-practising Registrant Firm are exempt from the requirements set out in this section of the Bylaws while the non-practising Registrant Firm maintains its non-practising status.

7.7.2 Failure to Complete Regulation of Firms Training Program

(1) If any Responsible Registrant of a Registrant Firm fails to complete the Regulation of Firms Training Program pursuant to sections 7.7.1(1) or 7.7.1(2) of the Bylaws *[Regulation of Firms Training Program]*,

(a) the Responsible Registrant identified in subsection (1) must complete the Regulation of Firms Training Program, and

(b) the Registrant Firm must send to EGBC the late completion fee specified in Schedule C of the Bylaws

by 11:59 PM (Pacific Time) on the date that is 2 months after the deadline specified in section 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*], as applicable.

(2) If a Registrant Firm fails to comply with the requirements set out in subsection (1), a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.

(3) If a Registrant Firm fails to comply with the requirements set out in subsection (1) within 2 months of having the condition placed on the Registrant Firm's registration and Permit to Practice pursuant to subsection (2), the Registrant Firm's registration and Permit to Practice must be cancelled.

7.7.3 Professional Practice Management Plan

(1) A Registrant Firm must develop and maintain a Professional Practice Management Plan that contains, at a minimum, the following elements:

(a) a Code of Conduct that explains how the Registrant Firm will ensure compliance with ethical standards by the Registrant Firm and by all individuals employed by or under contract with the Registrant Firm, including compliance with

(i) the Code of Ethics of EGBC set out in Schedule A of the Bylaws,

(ii) any guidelines on human rights, equity, diversity, or inclusion that have been approved by the Council, and

(iii) ethical business practices addressing corruption, conflict of interest, and contractual matters;

(b) a plan for how the Registrant Firm will ensure compliance with the standards of competence and quality management requirements pursuant to section 7.3 of the Bylaws [*Standards of Competence – Quality Management Requirements*];

(c) a plan for how the Registrant Firm will ensure compliance with the continuing education requirements pursuant to section 7.6 of the Bylaws [*Continuing Education Program*]; and

(d) a section setting out

(i) the organizational structure of the Registrant Firm,

(ii) the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s),

(iii) the Registrant Firm's area(s) of practice, and

(iv) the Responsible Registrant(s) designated to each area of practice at the Registrant Firm.

(e) a policy regarding the use of the Permit to Practice Number by individuals employed by or under contract with the Registrant Firm.

(2) A Registrant Firm's Professional Practice Management Plan must have documented approval by the Responsible Officer and each Responsible Registrant of the Registrant Firm.

(3) A Registrant Firm's Professional Practice Management Plan must be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm.

(4) A Registrant Firm must adhere to the Registrant Firm's Professional Practice Management Plan.

(5) A Registrant Firm must ensure that individuals employed by or under contract with the Registrant Firm are provided access to, understand the content of, and adhere to the Registrant Firm's Professional Practice Management Plan.

(6) Despite subsections (4) and (5), a Registrant Firm or an individual Registrant may depart from the quality management requirements included in the Registrant Firm's Professional Practice Management Plan pursuant to subsection (1)(b) if it is appropriate to do so for an identified reason, which must be

(a) documented by the Registrant Firm or the individual Registrant, and

(b) supported by a written rationale that is consistent with the Registrant Firm's or the individual Registrant's obligations pursuant to the PGA, applicable regulations, and the Bylaws.

(7) A Registrant Firm must

(a) annually review and, if necessary, revise the Registrant Firm's Professional Practice Management Plan to ensure its suitability and effectiveness,

(b) document the annual review conducted pursuant to ~~paragraph~~ subsection (a), and the approval of the review by the Responsible Officer and each Responsible Registrant at the Registrant Firm, and

(c) when requested by EGBC, submit the Registrant Firm's Professional Practice Management Plan to EGBC within 5 business days.

(8) A Registrant Firm must retain all approved versions of the Registrant Firm's Professional Practice Management Plan for a minimum of 10 years after the Professional Practice Management Plan is no longer in use by the Registrant Firm.

(9) A non-practising Registrant Firm is exempt from the requirements set out in subsections 7(a) and (b) of the Bylaws while maintaining its non-practising status.

7.7.4 Suspension or Cancellation of a Registrant Firm's Registration and Permit to Practice

(1) If a Registrant Firm's registration is suspended or under any limitation, condition, or restriction for any period pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also suspended or under the same limitation, condition, or restriction for that same period.

(2) If a Registrant Firm's registration is cancelled pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also cancelled.

7.8 Prohibited Contracts

(1) A Registrant must not enter into or agree to enter into any contract that would result in or require the breach of any duty under the PGA, associated regulations, or the Bylaws, including any of the duties pursuant to this Part, except as required or authorized by law.

8 Audit and Practice Review

8.1 Definitions

(1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

8.2 Powers of the Audit and Practice Review Committee

(1) In addition to functions and powers assigned to it under the PGA and set out elsewhere in the Bylaws, the Audit and Practice Review Committee has the functions and duties delegated to it by the Council in subsections (2) and (3).

(2) The Council authorizes the Audit and Practice Review Committee to exercise the Council’s powers pursuant to the following sections of the PGA:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of

(i) carrying out the powers delegated in subsection (3)(a)(ii), and

(ii) granting exemptions and deferrals pursuant to section~~s~~ 7.6.8(1)(a) of the Bylaws [*Applications or Exemptions from the Continuing Education Program*], section 8.6(5)(a) of the Bylaws [*Compliance Audit Program for Individual Registrants*], and section 8.7(6) of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(b) section 63(3) of the PGA [*Audits and practice reviews*] to authorize compliance audits as set out in section~~s~~ 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] and section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(c) sections 63(4) and (5) of the PGA [*Audits and practice reviews*].

(3) The Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:

(a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Audit and Practice Review Committee pursuant to section 63(2)(b) of the PGA [*Audits and practice reviews*] to

(i) the Registrar, so that the Registrar may appoint assessors for the purpose of conducting an area of practice audit, and

(ii) one or more other officers, so that the officer(s) may appoint assessors for the purposes of conducting a compliance audit or a practice review;

(b) section 63(2) of the PGA [*Audits and practice reviews*].

(4) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee may only disclose or provide the following to any other person, including another Committee of EGBC, if the conditions set out in section 110(3)(a) or (b) of the PGA [*Confidentiality – committee matters*] are satisfied:

(a) records or information provided to the Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee;

(b) a self assessment prepared by a Registrant for a practice review.

(5) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee must notify the Investigation Committee if the conditions set out in section 110(4) of the PGA [*Confidentiality – committee matters*] are satisfied.

8.3 Powers of the Registrar

(1) The Council authorizes the Registrar to exercise the Council's powers pursuant to section 63(3) of the PGA [*Audits and practice reviews*], to authorize an area of practice audit as set out in section 8.8 of the Bylaws [*Audit Program for an Area of Practice*].

8.4 Appointment of Assessors

(1) An officer may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct a compliance audit or a practice review.

(2) A subject matter expert cannot be appointed as an assessor to conduct a compliance audit or a practice review pursuant to subsection (1) if the subject matter expert has or had a relationship with a Registrant subject to a compliance audit or a Registrant subject to practice review that would reasonably compromise that subject matter expert's objectivity as an assessor.

(3) The Registrar may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct an area of practice audit.

8.5 Commencement of Audit and Practice Review Programs

(1) The following programs will commence on a date to be determined by the Audit and Practice Review Committee:

(a) The compliance audit program for individual Registrants, as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*];

(b) The compliance audit program for Registrant Firms, as set out in section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(c) The practice review program for Registrant Firms, as set out in section 8.10 of the Bylaws [*Practice Review of Registrant Firms*].

(2) [Repealed 2021-12-03].

(3) [Repealed 2021-12-03].

(4) [Repealed 2021-12-03].

(5) [Repealed 2021-12-03].

8.6 Compliance Audit Program for Individual Registrants

(1) The Council must annually determine the percentage of individual Registrants who will be selected for a compliance audit through a random selection process.

(2) The Audit and Practice Review Committee must annually determine risk-based criteria to inform the random selection of individual Registrants for a compliance audit.

(3) The following individual Registrants are exempt from a compliance audit:

(a) Trainees;

(b) individual Registrants who are Sole Practitioners;

(c) individual Registrants who have undergone a compliance audit in the previous 5 years;

(d) individual Registrants who are employed by a Registrant Firm that has undergone an audit in the previous 12 months and the Registrant Firm has been found to be in compliance;

(e) life members or life limited licensees.

(4) An individual Registrant selected for a compliance audit must be provided with written notice of the compliance audit.

(5) An individual Registrant selected for a compliance audit may be granted an exemption from a compliance audit by

(a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant is unemployed, on parental leave, medical leave, or compassionate care leave, or

(b) the Audit and Practice Review Committee, if the individual Registrant has other extenuating circumstances.

(6) An individual Registrant subject to a compliance audit must co-operate with the compliance audit process, including

(a) answering questions posed to the individual Registrant,

(b) providing all requested information, files, or records in the individual Registrant's possession or control, including information, files, or records related to the individual Registrant's continuing education, and

(c) undergoing an interview with an assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.

(7) Through a review of the evidence provided by the individual Registrant subject to a compliance audit in subsection (6), including answers, information, files, or records, the assessor must assess whether the individual Registrant is in compliance with all applicable regulatory requirements, which may include

(a) applicable requirements of the continuing education program,

(b) applicable quality management standards and professional practice guidelines, and

(c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.

(8) Based on the assessor's assessment pursuant to subsection (7), the assessor must do one of the following:

(a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit;

(b) in the case of a Minor Non-Conformance, prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period;

(c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.

(9) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (8)(b) within the specified time period,

(a) the assessor must close the compliance audit file, and

(b) the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.

(10) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b) within the specified time period, the assessor must do one of the following:

(a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b);

(b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.

(11) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsection (8)(c) or (10)(b), the individual Registrant subject to a compliance audit must be provided with

(a) the assessor's report of the compliance audit, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.

(12) After reviewing the assessor's report of the compliance audit, any written response from the individual Registrant subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must

(a) prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or compliance audits of the individual Registrant,

(b) authorize a practice review of the individual Registrant pursuant to section 63(4) of the PGA [*Audits and practice reviews*],

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or

(d) close the compliance audit file,

and provide written notice to the individual Registrant.

(13) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the individual Registrant.

(14) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must

(a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a),

(b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the individual Registrant.

(15) In addition to any action taken by the assessor under this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.7 Compliance Audit Program for Registrant Firms

(1) All Registrant Firms will become eligible for an initial mandatory compliance audit to commence on or after a date to be determined by the Audit and Practice Review Committee.

(2) Following the completion of the initial mandatory compliance audit pursuant to subsection (1), a Registrant Firm will become eligible for routine compliance audits.

(3) The Audit and Practice Review Committee must set criteria to inform the selection of routine compliance audits for Registrant Firms and may take risk-based criteria into account in this determination.

(4) A non-practising Registrant Firm is exempt from undergoing a compliance audit pursuant to this section of the Bylaws while maintaining its non-practising status.

(5) A Registrant Firm selected for a compliance audit must be provided with written notice of the compliance audit.

(6) A Registrant Firm selected for a compliance audit may be granted deferral of the compliance audit by the Audit and Practice Review Committee, upon submission of

(a) a written request for the deferral setting out the reasons for which the deferral is being requested and the anticipated length of the deferral, and

(b) any documents, information, records, declarations, or other information that supports the Registrant Firm's request or that may be requested by the Audit and Practice Review Committee in assessing the Registrant Firm's request for a deferral.

(7) A deferral of a compliance audit granted to a Registrant Firm pursuant to subsection (6) has a maximum duration of one year from the date that the deferral is granted, upon which the deferral will expire and the compliance audit may proceed, unless a further deferral is granted pursuant to subsection (6).

(8) A Registrant Firm that has been granted a deferral of a compliance audit pursuant to subsection (6) may apply for a further deferral by the Audit and Practice Review Committee, upon submission of a further request for a deferral in accordance with the requirements set out in subsection (6).

(9) A Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the compliance audit process, including

(a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the compliance audit and

(ii) communications on behalf of the Registrant Firm,

(b) answering all questions posed to the Registrant Firm,

(c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,

(d) facilitating site visits by the assessor, or any person designated by the assessor, to any requested work locations, including taking reasonable steps to arrange for and provide site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and

(e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm.

(10) A Responsible Registrant designated pursuant to subsection (9)(a) must have sufficient knowledge of the subject matter of the audit, the ability and sufficient authority to facilitate the audit as required, and the authority to make binding decisions on behalf of the Registrant Firm with respect to the audit.

(11) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (9)(a) does not meet the requirements set out in subsection (10), then the assessor may direct the Responsible Officer, an Individual With Authority, or

any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the audit pursuant to subsection (9).

(12) Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9), including answers, information, files, or records, the assessor must assess whether the Registrant Firm is in compliance with all applicable regulatory requirements, including the Bylaws, guidelines, practice advisories, and policies of EGBC, as well as the quality management, continuing education, and ethics standards.

(13) Based on the assessor's assessment pursuant to subsection (12), the assessor must do one of the following:

(a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the with assessor's report of the compliance audit;

(b) in the case of a Minor Non-Conformance, prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period; or,

(c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.

(14) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (13)(b) within the specified time period,

(a) the assessor must close the compliance audit file, and

(b) the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.

(15) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b) within the specified time period, the assessor must do one of the following:

(a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b); or,

(b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.

(16) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsections (13)(c) or (15)(b), the Registrant Firm subject to a compliance audit must be provided with

(a) the assessor's report of the compliance audit, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.

(17) After reviewing the assessor's report of the compliance audit, any written response from the Registrant Firm subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:

(a) prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or audits of the Registrant Firm,

(b) authorize a practice review of the Registrant Firm pursuant to section 63(4) of the PGA [*Audits and practice reviews*],

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or

(d) close the compliance audit file,

and provide written notice to the Registrant Firm.

(18) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the Registrant Firm.

(19) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must do one of the following:

(a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a);

(b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*]; or

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable;

and provide written notice to the Registrant Firm.

(20) In addition to any action taken by the assessor pursuant to this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.8 Audit Program for an Area of Practice

(1) The Registrar may authorize an area of practice audit of an identified area of practice to be completed by an assessor appointed by the Registrar for that purpose pursuant to section 8.4(3) of the Bylaws [*Appointment of Assessors*].

(2) If the Registrar authorizes an area of practice audit pursuant to subsection (1), the Registrar must

(a) set out the purpose of the area of practice audit, and

(b) determine the percentage of Registrants practising in that area of practice who will be selected for the area of practice audit through a random selection process.

(3) A Registrant selected for an area of practice audit must be provided with written notice of the area of practice audit.

(4) A Registrant selected for an area of practice audit may be granted an exemption from the area of practice audit by the Registrar.

(5) A non-practising Registrant Firm is exempt from undergoing an area of practice audit pursuant to this section of the Bylaws while maintaining its non-practising status.

(6) A Registrant subject to an area of practice audit must co-operate with the area of practice audit process, including

(a) if the Registrant is a Registrant Firm with more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the area of practice audit, and

(ii) communications on behalf of the Registrant Firm,

(b) answering questions posed to the Registrant,

(c) providing all requested information, files, or records in the Registrant's possession or control, and

(d) undergoing an interview with the assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.

(7) The evidence provided by all Registrants subject to an area of practice audit pursuant to subsection (6), including answers, information, files, or records, must be compiled to produce a report on the findings of the area of practice audit and subsequent recommendations.

(8) The report on the findings of the area of practice audit and subsequent recommendations produced pursuant to subsection (7) must be provided to the Registrar, and the Registrar may determine what action to take based on the findings of the area of practice audit and subsequent recommendations.

8.9 Practice Review of Individual Registrants

(1) The following categories of individual Registrants are exempt from practice reviews:

(a) Trainees;

(b) life members or life limited licensees.

(2) A practice review of an individual Registrant, other than a Registrant exempted pursuant to subsection (1), may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if

(a) the individual Registrant consents, or

(b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the individual Registrant might have

(i) contravened the PGA, the regulations or the Bylaws,

(ii) failed to comply with a standard, limit or condition imposed under the PGA,

(iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or

(iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(3) An individual Registrant subject to practice review must be provided with written notice of the practice review.

(4) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], an individual Registrant subject to practice review must co-operate with the practice review process, including

(a) answering questions posed to the individual Registrant,

(b) providing access to all requested information, files, or records in the individual Registrant's possession or control, and

(c) undergoing an interview with an assessor, either in person or by Electronic Means.

(5) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the individual Registrant subject to practice review must be provided with

(a) the assessor's report of the practice review, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.

(6) After reviewing the assessor's report of the practice review, any written response from the individual Registrant subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must

(a) close the practice review file,

(b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the individual Registrant, including

(i) restricting the practice that may be engaged in by the individual Registrant,

(ii) requiring that the individual Registrant be overseen by another Registrant when engaged in the Regulated Practice, and

(iii) requiring that the individual Registrant undertake additional training, or

(c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the individual Registrant.

(7) The Audit and Practice Review Committee may remove any limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b) if the individual Registrant

(a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and

(b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.

(8) After the removal of all limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the individual Registrant.

(9) If the individual Registrant subject to practice review fails to abide by any limits or conditions imposed on the individual Registrant pursuant to subsection (6)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

8.10 Practice Review of Registrant Firms

(1) A practice review of a Registrant Firm may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if

(a) the Registrant Firm consents, or

(b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the Registrant Firm might have

(i) contravened the PGA, the regulations or the Bylaws,

(ii) failed to comply with a standard, limit, or condition imposed under the PGA,

(iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or

(iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(2) A Registrant Firm subject to practice review must be provided with written notice of the practice review.

(3) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], a Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the practice review process, including

(a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the practice review, and

(ii) communications on behalf of the Registrant Firm,

(b) answering questions posed to the Registrant Firm,

(c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,

(d) facilitating site visits by the assessor, or anyone designated by the assessor, to any requested work locations, including arranging for and providing site access, all necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and

(e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means, if the assessor determines that such interviews are desirable or necessary.

(4) A Responsible Registrant designated pursuant to subsection (3)(a) must have sufficient knowledge of the subject matter of the practice review, the ability and sufficient authority to facilitate the practice review as required, and the authority to make binding decisions on behalf of the Registrant Firm.

(5) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (3)(a) does not meet the requirements set out in subsection (4), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm, to be designated for the purpose of coordinating the practice review pursuant to subsection (3).

(6) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the Registrant Firm subject to practice review must be provided with:

(a) the assessor's report of the practice review, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.

(7) After reviewing the assessor's report of the practice review, any written response from the Registrant Firm subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:

(a) close the practice review file,

(b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the Registrant Firm, including:

(i) restricting the practice that may be engaged in by the Registrant Firm and on behalf of the Registrant Firm by any individuals employed by or under contract with the Registrant Firm,

(ii) requiring that the work of the Registrant Firm and any individuals employed by or under contract with the Registrant Firm be overseen by another Registrant when engaged in the Regulated Practice, and

(iii) requiring that any individuals employed by or under contract with the Registrant Firm undertake additional training, or

(c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the Registrant Firm.

(8) The Audit and Practice Review Committee may remove any limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b) if the Registrant Firm

(a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and

(b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.

(9) After the removal of all limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the Registrant Firm.

(10) If the Registrant Firm subject to practice review fails to abide by any limits or conditions imposed on the Registrant Firm pursuant to subsection (7)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

9 Complaints and Investigation

9.1 Definitions

(1) For the purpose of this Part, "Registrant" includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

9.2 Powers of the Investigation Committee

(1) The Investigation Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council in subsections (2) and (3).

(2) The Council authorizes the Investigation Committee to exercise the Council's powers pursuant to the following sections of the PGA and Regulations, other than the Council's bylaw-making authority:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated in subsection (3)(a);

(b) section 66(1) of the PGA [*Investigations*];

(c) [Repealed 2021-12-03];

(d) section 67(1) and (4) of the PGA [*Extraordinary action*];

(e) section 72(3) of the PGA [*Reprimand or remedial action by consent*];

(f) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*], in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].

(3) The Council authorizes the Investigation Committee to act pursuant to the following sections of the PGA:

(a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Investigation Committee pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*] to one or more officers;

(b) section 65(4) of the PGA [*Complaints*] to

(i) authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*], or

(ii) take action pursuant to section 66 of the PGA [*Investigations*].

9.3 Officers

(1) All members of the Investigation Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

9.4 Powers of the Registrar

(1) The Council authorizes the Registrar to act pursuant to section 65(4) of the PGA [*Complaints*] to authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*].

9.5 Avoiding the Appearance of Bias

(1) A member of the Investigation Committee must not participate in the consideration or investigation of a matter in which the member of the Investigation Committee

(a) had involvement prior to the decision of the Investigation Committee to authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], or

(b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to investigation

that would reasonably compromise the member's objectivity.

9.6 Disposition of Complaints by the Registrar

(1) After receipt of a complaint, the Registrar may do any of the following:

(a) close all or part of the complaint without an investigation if the Registrar reasonably believes that any of the following apply:

(i) the complaint concerns a matter over which EGBC does not have jurisdiction;

(ii) the complaint does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(iii) the complaint is Trivial, Frivolous, Vexatious, or made in Bad Faith;

(b) close the complaint without an investigation and authorize a practice review of the Registrant subject to the complaint pursuant to section 65(4) of the PGA [*Complaints*], to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to the complaint is a Trainee, who may not be referred to the Audit and Practice Review Committee for a practice review;

(c) bring the complaint and any available evidence to the Investigation Committee in form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

(2) If the Registrar closes a complaint pursuant to subsection (1)(a), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for closure.

(3) If the Registrar closes a complaint file and refers the Registrant subject to the complaint to the Audit and Practice Review Committee pursuant to subsection (1)(b), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for the referral.

9.7 Investigation

9.7.1 Authorizing an Investigation

(1) If EGBC receives information from any source that indicates a Registrant may have been guilty of

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Registrar may bring such information and any available evidence to the Investigation Committee in the form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

(2) Upon receipt of a written report pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*], the Investigation Committee may do one of the following:

(a) decline to authorize an investigation, if the Investigation Committee reasonably believes that any of the following apply with respect to the allegations in the written report:

(i) the allegations concern a matter over which EGBC does not have jurisdiction;

(ii) the report does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(iii) the substance of the allegations has been or could be appropriately dealt with in another process or proceeding;

(iv) there is no reasonable prospect that the allegations, if proven, could substantiate a finding of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(v) the allegations are Trivial, Frivolous, Vexatious, or made in Bad Faith;

(vi) the allegations give rise to an Abuse of Process;

(vii) the allegations were raised for an improper purpose or motive;

(viii) the allegations relate to a contractual dispute between the Registrant and a third party and there is no public interest in authorizing an investigation;

(b) authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] and

(i) order further investigation to be conducted pursuant to sections 9.7.4 to 9.7.6 of the Bylaws, or

(ii) deem the investigation to be complete based on the written report provided pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] and make a decision pursuant to section 9.7.7 of the Bylaws [*Decision by the Investigation Committee*].

(3) If the Investigation Committee declines to authorize an investigation pursuant to subsection (2)(a), the Investigation Committee must provide the Complainant and the Registrant subject to the complaint with a written report stating the nature of the complaint and the reasons for closure of the file.

(4) If the written report brought to the Investigation Committee pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] contains evidence that a Registrant has been convicted of an indictable offence, the Investigation Committee may authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], deem the investigation to be complete based on the written report, and take action pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*].

(5) If the Investigation Committee authorizes an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] in relation to a public sector Firm, EGBC must notify the Superintendent of Professional Governance within 30 days of the decision to authorize the investigation.

9.7.2 Suspension or Cancellation on the Basis of an Indictable Offence

(1) If the Investigation Committee is satisfied that a Registrant has been convicted of an indictable offence, the Investigation Committee may make an order to summarily suspend or cancel the registration of the Registrant, and if the Registrant is a Registrant Firm, suspend or cancel the Registrant Firm's Permit to Practice.

(2) Before proceeding pursuant to subsection (1), the Investigation Committee must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Registrant has engaged in

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(3) The Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(4) The Investigation Committee must, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

(a) action may be undertaken pursuant to subsection (1), and

(b) the Registrant may, by a specified date, make written submissions to the Investigation Committee.

(5) The Investigation Committee may hear oral submissions from the Registrant, in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) Despite subsections (4) and (5) if the Investigation Committee considers it necessary to protect the public interest, the Investigation Committee may initiate Proceedings pursuant to this section of the Bylaws or make an order pursuant to subsection (1) without

(a) providing notice to the Registrant, or

(b) providing the Registrant with an opportunity to make written or oral submissions to the Investigation Committee.

(7) If the Investigation Committee makes an order pursuant to subsection (1) to suspend or cancel the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee must deliver the order to the Registrant.

(8) If the Investigation Committee makes an order pursuant to subsection (1) suspending the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee

(a) must determine the length and any conditions of the suspension in its order, and

(b) may amend or rescind the order.

9.7.3 Extraordinary Action to Protect the Public

(1) At any time after authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], the Investigation Committee may, if it considers that it is necessary to protect the public interest,

(a) take action pursuant to section 67 of the PGA [*Extraordinary action*], or

(b) refer the file to the Discipline Committee, without the issuance of a citation, for the Discipline Committee to consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].

(2) The members of any Investigation Subcommittee carrying out an investigation or overseeing and taking responsibility for an investigation carried out by an Investigator and the members of any Resolution Subcommittee must not, for the same matter, participate in any Proceedings related to section 67 of the PGA [*Extraordinary action*].

(3) If the Investigation Committee decides to proceed pursuant to subsection (1)(a), the Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(4) The Investigation Committee may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

(a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and

(b) the Registrant subject to investigation may, by a specified date, make written submissions to the Investigation Committee.

(5) The Investigation Committee may hear oral submissions from the Registrant subject to investigation in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) Despite subsections (4) and (5), if the Investigation Committee considers that it is necessary to protect the public interest, the Investigation Committee may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] without

(a) providing notice to the Registrant subject to investigation, or

(b) providing the Registrant subject to investigation with an opportunity to make written or oral submissions to the Investigation Committee.

(7) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].

(8) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Investigation Committee determines that its order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the Registrant subject to investigation.

(9) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Investigation Committee or the Discipline Committee, as applicable.

9.7.4 Carrying out of an Investigation

(1) The Investigation Committee may appoint Investigators as officers and delegate to those Investigators the Investigation Committee's powers pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*].

9.7.5 Necessary Co-operation During an Investigation

(1) An Investigator may, pursuant to section 66(1)(b) and (c) of the PGA [*Investigations*], issue a written notice to the Registrant subject to investigation requiring the Registrant subject to investigation to

(a) co-operate with the investigation,

(b) provide evidence of education, training or experience in the area(s) of practice relevant to the investigation,

(c) answer questions in the manner specified by the Investigator(s),

(d) produce files, records or other evidence in the Registrant's possession or control,

(e) provide explanations on request,

(f) appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant subject to investigation, and

(g) if the Registrant is a Registrant Firm,

(i) produce any documentation or records requested by the Investigator, including but not limited to the Registrant Firm's corporate records, constating documents, project files, and quality management documents and records,

(ii) require any director, officer, individual employed by or under contract with, or any other individual authorized to act on behalf of a Registrant Firm, including the Responsible Officer, any Individual With Authority, or any Responsible Registrant of a Registrant Firm subject to investigation, to appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant Firm subject to investigation, and

(iii) if the Registrant Firm has more than one Responsible Registrant, designate one Responsible Registrant to co-ordinate

(A) the Registrant Firm's co-operation with the investigation, and

(B) communications on behalf of the Registrant Firm.

(2) The Registrant subject to investigation may have legal counsel present at an appearance described in subsection (1)(f), or if the Registrant is a Registrant Firm, legal counsel may be present at any appearance pursuant to subsection (1)(g)(ii).

(3) An appearance described in subsections (1)(f) and (1)(g)(ii)

(a) is an examination under oath or affirmation,

(b) may be recorded by EGBC by

(i) audio, or

(ii) audio and video, and

(c) may be transcribed by a court reporter for the purpose of preparing a certified transcript.

(4) A Responsible Registrant designated to co-ordinate an investigation and communicate on behalf of a Registrant Firm pursuant to subsection (1)(g)(iii) must, at a minimum:

(a) have sufficient knowledge of the subject matter at issue in the investigation,

(b) have the authority and ability to facilitate the investigation as required by the Investigator, and

(c) be an Individual With Authority at the Registrant Firm.

(5) If the Investigation Committee determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (1)(g)(iii) fails to meet any of the requirements set out in subsection (4) then the Investigation Committee may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the investigation and communicating on behalf of the Registrant Firm.

(6) In addition to complying with any written notice issued pursuant to subsection (1), a Registrant subject to investigation must facilitate all requests and actions by an Inspector pursuant to section 69 of the PGA [*Powers and duties of inspectors*], including taking reasonable steps to arrange for and provide access to

(a) premises or project sites where the Registrant engages or has engaged in the Regulated Practice, including providing any information or assistance required to comply with applicable health and safety legislation during the Inspector's examination of the premises,

(b) any employees, contractors, or personnel who engage in the Regulated Practice under the supervision of or on behalf of the Registrant,

(c) all files, documents, and records, electronic or otherwise, relating to the Registrant's Regulated Practice, and

(d) any equipment, or materials used by a Registrant to engage in the Regulated Practice.

9.7.6 Conclusion of an Investigation

(1) At the conclusion of an investigation, the Investigator(s) must provide a written report to the Investigation Committee detailing the evidence gathered during the investigation, an assessment of the evidence gathered during the investigation, and the recommendations of the Investigator(s).

9.7.7 Decision by the Investigation Committee

(1) After deeming an investigation to be complete pursuant to section 9.7.1(2)(b)(ii) of the Bylaws [*Authorizing an Investigation*], or after receipt of a written report prepared pursuant to section 9.7.6(1) of the Bylaws [*Conclusion of an Investigation*], the Investigation Committee may do any of the following:

(a) close the investigation file, with the option to write a letter of recommendation to the Registrant subject to investigation suggesting how the Registrant can improve their practice or conduct;

(b) close the investigation file and, pursuant to section 65(4) of the PGA [*Complaints*], authorize a practice review of the Registrant subject to investigation to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to investigation is a Trainee who may not be referred to the Audit and Practice Review Committee for a practice review;

(c) attempt to resolve one or more of the matters subject to investigation by means other than a discipline hearing, pursuant to section 9.9 of the Bylaws [*Resolution by the Investigation Committee*];

(d) pursuant to section 66(1)(d) of the PGA [*Investigations*] issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

(2) When deciding to issue a citation pursuant to subsection (1)(d), the Investigation Committee may also make a recommendation to the Discipline Committee that the Discipline Committee consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].

(3) The Investigation Committee must inform and provide written reasons for its decision made pursuant to subsection (1) to

(a) the Registrant subject to investigation, and

(b) the Complainant, if the investigation is based on a complaint.

(4) The members of any Investigation Subcommittee or Resolution Subcommittee must not vote on the disposition of the investigation pursuant to subsection (1).

9.8 Issuance and Rescission of a Citation

(1) Pursuant to section 66(1)(d) of the PGA [*Investigations*], if the Investigation Committee determines that it is in the public interest, and if the Investigation Committee has reasonable and probable grounds to believe that the Registrant subject to investigation may be guilty of

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Investigation Committee may issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

(2) The Investigation Committee may amend or rescind, in whole or in part, a citation issued pursuant to subsection (1).

9.9 Resolution by the Investigation Committee

(1) If the Investigation Committee makes a determination pursuant to section 9.7.7(1)(c) of the Bylaws [*Decision by the Investigation Committee*], the Investigation Committee may appoint a Resolution Subcommittee to oversee and take responsibility for attempting to resolve one or more of the matters subject to investigation by one or more of the following methods:

(a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to investigation pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];

(b) propose a consent order in writing to the Registrant subject to investigation pursuant to section 73 of the PGA [*Consent orders*];

(c) enter into the Alternative Complaint Resolution process with the Registrant subject to investigation pursuant to section 74 of the PGA [*Alternative complaint resolution*].

(2) If the Registrant subject to investigation is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

9.9.1 Reprimand or Remedial Action by Consent

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].

(2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify

(a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to investigation, and

(b) the procedure, if any, that the Registrant subject to investigation may follow to be released from the undertaking.

(3) If the Registrant subject to investigation agrees to an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the agreement must be approved by the Investigation Committee.

(4) If the Registrant subject to investigation rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee may

(a) direct the Registrar to issue a citation for a hearing by the Discipline Committee pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], or

(b) continue with the investigation process as though the offer to resolve one or more matters by means of an undertaking or reprimand by consent pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] had not been made.

(5) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (3) or (4).

9.9.2 Consent Orders

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to investigation.

(2) If the Registrant subject to investigation agrees to a consent order proposed pursuant to section 73(1) of the PGA [*Consent orders*], the agreement must be approved by the Investigation Committee.

(3) A consent order made between the Investigation Committee and the Registrant subject to investigation must meet the requirements set out in section 73 of the PGA [*Consent orders*].

(4) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (2).

9.9.3 Alternative Complaint Resolution by the Investigation Committee

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:

(a) the Investigation Committee;

(b) the Registrant subject to investigation;

(c) the Registrar.

(2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.

(3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10 Discipline

10.1 Definitions

(1) For the purpose of this Part, "Registrant" includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

10.2 Powers of the Discipline Committee

(1) The Discipline Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council pursuant to subsections (2) and (3).

(2) The Council authorizes the Discipline Committee to exercise the Council's powers pursuant to the following sections of the PGA and Regulations:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out powers of the Discipline Committee as delegated in this Part of the Bylaws;

(b) section 67(1) and (4) of the PGA [*Extraordinary action*];

(c) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*] in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].

(3) The Council authorizes the Discipline Committee to act pursuant to section 32(5)(b) of the PGA [*Officers and committees*], to delegate to one or more officers the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

10.3 Officers and Discipline Committee Panels

(1) All members of the Discipline Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

(2) The chair or vice chair of the Discipline Committee may do one or more of the following:

(a) appoint members of the Discipline Committee to serve on a Panel;

(b) terminate an appointment to a Panel;

(c) refer a matter that is before the Discipline Committee to the following Panels:

(i) an Extraordinary Action Panel, to take action pursuant to section 67 of the PGA [*Extraordinary action*];

(ii) a Discipline Resolution Panel, to take action pursuant to sections 72 to 74 of the PGA;

(iii) a Discipline Hearing Panel, to take action pursuant to section 75 or 76 of the PGA.

(3) On the appointment of members of the Discipline Committee to an Extraordinary Action Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Extraordinary Action Panel the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

(4) On the appointment of members of the Discipline Committee to a Discipline Resolution Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Discipline Resolution Panel the powers of the Discipline Committee pursuant to sections 72 to 74 of the PGA.

(5) A member of the Discipline Committee must not sit on more than one Panel concerning the same matter.

10.4 Avoiding the Appearance of Bias

(1) A member of the Discipline Committee must not sit on a Panel concerning a matter in which the member of the Discipline Committee

(a) had involvement prior to the matter being referred to the Panel pursuant to section 10.3(2)(c) of the Bylaws [*Officers and Discipline Committee Panels*], or

(b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to discipline

that would reasonably compromise the member's objectivity.

10.5 Extraordinary Action to Protect the Public

(1) An Extraordinary Action Panel may, if it considers that it is necessary to protect the public interest, take action pursuant to section 67 of the PGA [*Extraordinary action*]

(a) During the course of an investigation pursuant to section 66 of the PGA [*Investigations*], upon recommendation by the Investigation Committee pursuant to section 9.7.3(1)(b) of the Bylaws [*Extraordinary Action to Protect the Public*], or

(b) pending a hearing pursuant to section 75 of the PGA [*Discipline Hearings*], on recommendation by the Investigation Committee pursuant to section 9.7.7(2) of the Bylaws [*Decision by the Investigation Committee*], or on application by EGBC.

(2) An Extraordinary Action Panel may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(3) An Extraordinary Action Panel may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the subject Registrant that

(a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and

(b) the subject Registrant may, by a specified date, make written submissions to the Extraordinary Action Panel.

(4) An Extraordinary Action Panel may hear oral submissions from the subject Registrant in the place of or in addition to the written submissions referred to in subsection (3)(b).

(5) Despite subsection (3) and (4) if an Extraordinary Action Panel considers that it is necessary to protect the public interest, the Extraordinary Action Panel may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary Action*] without

(a) providing notice to the subject Registrant, or

(b) providing the subject Registrant with an opportunity to make written or oral submissions to the Investigation Committee.

(6) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].

(7) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Discipline Committee or an Extraordinary Action Panel determines that the order made pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the subject Registrant as soon as possible.

(8) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Discipline Committee.

10.6 Resolution by the Discipline Committee

(1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee may appoint a Discipline Resolution Panel to attempt to resolve one or more of the matters set out in the citation by one or more of the following methods:

(a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to discipline pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];

(b) propose a consent order in writing to the Registrant subject to discipline pursuant to section 73 of the PGA [*Consent orders*];

(c) enter into the Alternative Complaint Resolution process with the Registrant subject to discipline pursuant to section 74 of the PGA [*Alternative complaint resolution*].

(2) If the Registrant subject to discipline is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

10.6.1 Reprimand or Remedial Action by Consent

(1) In relation to one or more of the matters set out in the citation, the Discipline Resolution Panel may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].

(2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify

(a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to discipline, and

(b) the procedure, if any, that the Registrant subject to discipline may follow to be released from the undertaking.

(3) If the Registrant subject to discipline rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*],

(a) the disciplinary processes may continue as though the offer to resolve one or more matters to be dealt with at the discipline hearing had not been made, and

(b) the offer to resolve one or more matters to be dealt with at the discipline hearing must not be considered in determining the matters or in taking an action or imposing a penalty in respect of the matters during a discipline hearing.

10.6.2 Consent Orders

(1) In relation to one or more of the matters to be dealt with at the discipline hearing, the Discipline Resolution Panel may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to discipline.

(2) A consent order made between the Discipline Resolution Panel and the Registrant subject to discipline must meet the requirements set out in section 73 of the PGA [*Consent orders*].

10.6.3 Alternative Complaint Resolution by the Discipline Committee

(1) In relation to one or more of the matters to be dealt with at the discipline hearing, the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:

(a) the Discipline Resolution Panel;

(b) the Registrant subject to discipline;

(c) the Registrar.

(2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.

(3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10.7 Discipline Hearings

(1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to conduct the hearing pursuant to section 75 of the PGA [*Discipline hearings*].

(2) A discipline hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Discipline Hearing Panel.

10.8 Conduct in Another Jurisdiction

(1) If the Discipline Committee learns that a Different Governing Body has found, or a Registrant has admitted to a Different Governing Body, that the Registrant committed an act that, in the opinion of the Discipline Committee, would constitute Conduct of Concern, the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to take action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

(2) The Discipline Hearing Panel must provide the Registrant with the following before taking any action pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*]:

(a) at least 14 days' written notice of the proposed action;

(b) an opportunity to be heard, which must be limited to a hearing in writing unless otherwise ordered by the Discipline Hearing Panel.

10.9 Assessment of Costs After a Discipline Hearing

(1) If an adverse determination is made against a Respondent after a discipline hearing held pursuant to section 75 of the PGA [*Discipline hearings*] the Discipline Hearing Panel must require, through an order in writing, that the Respondent pay EGBC's costs, which may be up to the actual costs incurred by EGBC as a result of an investigation and a discipline hearing, provided that those actual costs are within the limits set out in section 81(2)(a) of the PGA [*Costs*].

(2) For the purpose of calculating costs with respect to an investigation, recoverable costs are all costs incurred from the time the investigation is authorized pursuant to section 66(1)(a) of the PGA [*Investigations*] until the time that a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or section 72(3) of the PGA [*Reprimand or remedial action by consent*].

(3) For the purpose of calculating costs with respect to a discipline hearing, recoverable costs are all costs incurred from the time that the citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*] until the conclusion of a hearing regarding the amount of costs to be assessed pursuant to section 81 of the PGA [*Costs*].

(4) For the purposes of subsections (2) and (3), recoverable costs must include

(a) salary costs for employees or officers engaged in the investigation and the discipline hearing, and

(b) the actual costs incurred by EGBC during the course of the investigation and the discipline hearing, including any motions, applications or pre-hearing conferences, or any other applications associated with a discipline matter, which may include some or all of the following:

(i) costs incurred to retain contractors who are engaged in the investigation and the discipline hearing, including contractors who are appointed as officers;

(ii) expenses incurred by persons appointed as Inspectors for EGBC pursuant to section 68 of the PGA [*Inspectors*];

(iii) fees charged and expenses incurred by legal counsel retained by EGBC;

(iv) fees charged and expenses incurred by expert witnesses retained by EGBC or EGBC's legal counsel;

(v) expenses incurred by witnesses called to testify by EGBC;

(vi) the cost of recording interviews, pre-hearing conferences, and hearings;

(vii) the cost of a court reporter for interviews, pre-hearing conferences, and hearings;

(viii) the cost of preparing a transcript of interviews, pre-hearing conferences, and hearings;

(ix) the cost of a translator for interviews, pre-hearing conferences, and hearings;

(x) costs incurred to rent facilities at which interviews, pre-hearing conferences, and hearings are held;

(xi) costs incurred to conduct interviews, pre-hearing conferences, and hearings, whether conducted in person, by Electronic Means, in writing or by any combination thereof;

(xii) any other reasonable costs, fees, or expenses paid or payable by EGBC as a result of the investigation or the hearing pursuant to section 75 of the PGA [*Discipline hearings*].

(5) In determining the costs to require the Respondent to pay, the Discipline Hearing Panel

(a) must consider whether EGBC did not prove all the allegations made against the Respondent set out in the citation to the requisite standard, and if so, the seriousness of the allegations which were not proven relative to those which were proven, and

(b) may consider evidence that the Respondent previously rejected

(i) an undertaking or a consent requested by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], or

(ii) a consent order proposed by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 73(1) of the PGA [*Consent orders*].

10.10 Payment of Costs

(1) A Respondent must pay the full amount of any costs imposed on the Respondent pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*] within 30 days of the date of the order for costs, unless an extension for payment of costs is obtained pursuant to section 10.10.1(1) of the Bylaws [*Extension of Time for Payment of Costs*].

10.10.1 Extension of Time for Payment of Costs

(1) Upon receipt of a written request from a Respondent stating that the Respondent will suffer financial hardship if the Respondent is required to pay costs within 30 days of the date of the order for costs, the Registrant must be granted a one-time, 30-day extension for payment of costs imposed on the Respondent pursuant to section 10.9 of Bylaws [*Assessment of Costs After a Discipline Hearing*].

11 Public Disclosure of Disciplinary Orders

11.1 Definitions

(1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

11.2 Publication of Citations

(1) If a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*], EGBC must publish the full text of the citation on a public website maintained by EGBC at least 30 days in advance of the date of the discipline hearing.

(2) Despite subsection (1), prior to publishing the citation, the Investigation Committee may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee determines that the public interest in the information being made publicly available is outweighed by the privacy interest of

(a) a person other than the Registrant subject to discipline, or

(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.

(3) If the Investigation Committee makes a determination pursuant to subsection (2), the publication of the citation must include a note that information has been withheld.

11.3 Public Attendance at a Discipline Hearing

(1) A discipline hearing must be public.

(2) At least 30 days in advance of the date of the discipline hearing, EGBC must publish the anticipated date and time of the discipline hearing, including, if determined by the Discipline Hearing Panel, whether the hearing is anticipated to proceed in person, by Electronic Means, in writing, or by any combination thereof.

(3) Despite subsection (1), in extraordinary circumstances, the Discipline Hearing Panel may make an order excluding the public from all or part of a discipline hearing if the Discipline Hearing Panel determines that

(a) there are reasons for confidentiality that may be disclosed at the hearing that outweigh the public interest in having an open hearing, or

(b) the safety of a person may be jeopardized.

(4) The Discipline Hearing Panel may limit the number of people who may attend a discipline hearing given the capacity of the facility in which the discipline hearing is being held or the capabilities of the Electronic Means.

(5) No person may make a visual or audio recording of a discipline hearing unless granted permission by the Discipline Hearing Panel prior to the discipline hearing commencing.

11.4 Publication of Disciplinary Orders

(1) EGBC must publish the full text of a Disciplinary Order on a public website maintained by EGBC within 30 days of the date of the Disciplinary Order.

(2) In addition to subsection (1), EGBC may publish a summary or the full text of a Disciplinary Order by other methods, including by one or more of the following means:

(a) in any of EGBC's electronic or paper communications;

(b) in a press release;

(c) in a local newspaper;

(d) in a legal research or decision database.

(3) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order, the Investigation Committee or a Panel of the Discipline Committee, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee or a Panel of the Discipline Committee, as applicable, determines that the public interest in the information being made publicly available is outweighed by the privacy interest of

(a) a person other than the Registrant subject to investigation or discipline, or

(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.

(4) If the Investigation Committee or a Panel of the Discipline Committee, as applicable, makes a determination pursuant to subsection (3), the publication of the Disciplinary Order must include a note that information has been withheld.

(5) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order that is a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee or Discipline Resolution Panel, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of the Registrant subject to investigation or discipline, if the following conditions are met:

(a) the consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] does not impose limitations or conditions on the Regulated Practice by the Registrant subject to investigation or discipline; and

(b) the Investigation Committee or Discipline Resolution Panel, as applicable, determines that non-publication is in the public interest.

(6) Despite subsections (1) and (2), if the Registrar determines that the public interest in a Disciplinary Order being made publicly available is outweighed by the potential prejudice to another investigation or disciplinary matter, the Registrar may temporarily withhold from publication the minimum portion of the Disciplinary Order, which could include the entirety of the Disciplinary Order, as necessary to prevent the potential prejudice.

(7) If publication of a Disciplinary Order is temporarily withheld pursuant to subsection (6), EGBC must:

(a) notify the Superintendent of Professional Governance within 30 days of the date of the Disciplinary Order that is to be temporarily withheld from publication,

(b) publish a note on EGBC's public website stating that certain information is being temporarily withheld to ensure the fair conclusion of another proceeding, and

(c) publish the Disciplinary Order that is being temporarily withheld from publication within 30 days of the date that the related investigation or disciplinary matter has been concluded, or as soon as there is no longer any risk of potential prejudice to another investigation or disciplinary matter from publication of the Disciplinary Order.

11.5 Retention and Archiving of Disciplinary Order

(1) A Disciplinary Order setting out a restriction or suspension of a Registrant's registration or, if the Registrant is a Registrant Firm, a restriction or suspension of a Registrant Firm's registration and Permit to Practice, must remain posted on a public website maintained by EGBC for the course of the restriction or suspension, and then must be moved to an archive section of a public website maintained by EGBC.

(2) A Disciplinary Order setting out the cancellation of an individual Registrant's registration will remain permanently posted on a public website maintained by EGBC.

(3) Despite subsection (2), upon receiving notice of the death of a former individual Registrant subject to a Disciplinary Order setting out the cancellation of the individual Registrant's registration, EGBC must move the Disciplinary Order to a permanent archive section of a public website maintained by EGBC.

(4) A Disciplinary Order setting out a cancellation of a Registrant Firm's registration and Permit to Practice must remain permanently posted on a public website maintained by EGBC.

11.6 Publication of Dismissed Citations

(1) If the Discipline Hearing Panel dismisses all elements of a citation pursuant to section 75(5)(a) of the PGA *[Discipline hearings]*, EGBC must publish the reasons for the decision on a public website maintained by EGBC within 30 days of the date of the decision.

(2) Despite subsection (1), prior to publishing the reasons for a decision dismissing all elements of a citation pursuant to section 75(5)(a) of the PGA *[Discipline hearings]*, the Discipline Hearing Panel may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of

(a) a person other than the Registrant subject to discipline, or

(b) the subject Registrant, unless the Registrant makes a request that the information be published.

12 Transitional Provisions

12.1 Repeal of Bylaws Previously in Force

(1) All of the bylaws of EGBC previously in force are repealed when these Bylaws come into force.

Schedule A – Code of Ethics

(1) A registrant must adhere to the following Code of Ethics:

Registrants must act at all times with fairness, courtesy and good faith toward all persons with whom the registrant has professional dealings, and in accordance with the public interest. Registrants must uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, registrants must:

1. hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace;

2. practice only in those fields where training and ability make the registrant professionally competent;

3. have regard for the common law and any applicable enactments, federal enactments or enactments of another province;

4. have regard for applicable standards, policies, plans and practices established by the government or EGBC;

5. maintain competence in relevant specializations, including advances in the regulated practice and relevant science;

6. provide accurate information in respect of qualifications and experience;

7. provide professional opinions that distinguish between facts, assumptions and opinions;

8. avoid situations and circumstances in which there is a real or perceived conflict of interest and ensure conflicts of interest, including perceived conflicts of interest, are properly disclosed and necessary measures are taken so a conflict of interest does not bias decisions or recommendations;

9. report to EGBC and, if applicable, any other appropriate authority, if the registrant, on reasonable and probable grounds, believes that:

    a. the continued practice of a regulated practice by another registrant or other person, including firms and employers, might pose a risk of significant harm to the environment or to the health or safety of the public or a group of people; or

    b. a registrant or another individual has made decisions or engaged in practices which may be illegal or unethical;

10. present clearly to employers and clients the possible consequences if professional decisions or judgments are overruled or disregarded;

11. clearly identify each registrant who has contributed professional work, including recommendations, reports, statements or opinions;

12. undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession; and

13. conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment.

Schedule B – Credentials and Discipline Hearing Procedure

1.1 Definitions

(1) In this Schedule,

"Applicant" means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

"Decision Maker" means

(a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

"Discipline Committee" means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

"**Discipline Hearing Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair or vice chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

"EGBC" means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as 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 [*Definition*].

"PGA" means the Professional Governance Act, S.B.C. 2018, c. 47.

"Proceeding" means a motion, application, pre-hearing conference, or hearing.

"Registrar" means the individual appointed by the Council as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

"Respondent" means the same as defined in section 1(1) of the PGA [De*finitions and interpretation*].

1.2 Application of this Schedule

(1) The procedural rules in this Schedule apply only to

(a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) a discipline hearing held by a Discipline Hearing Panel pursuant to section 10.7 of the Bylaws [*Discipline Hearings*],

unless otherwise ordered by the respective Decision Maker.

1.3 Parties and Representation

(1) The parties to a hearing are

(a) the Applicant/Respondent, and

(b) EGBC.

(2) A Registrant Firm must be represented in a Proceeding by an Individual With Authority or other individual who is duly authorized to make submissions and legally binding decisions on behalf of the Registrant Firm, and must provide notice to EGBC with the name and contact information for the representative, except where represented by legal counsel pursuant to subsections (4) and (5).

(3) After receiving written notice including the contact information of a representative designated pursuant to subsection (2), any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the individual designated to represent the Registrant Firm pursuant to subsection (2), except where the Registrant Firm is represented by legal counsel pursuant to subsections (4) and (5).

(4) The Applicant/Respondent and EGBC may be represented by legal counsel in a Proceeding.

(5) If the Applicant/Respondent is represented by legal counsel in a Proceeding,

(a) the Applicant/Respondent must provide EGBC with written notice of the name and contact information of the Applicant's/Respondent's legal counsel, and

(b) after receiving written notice of the name and contact information of the Applicant's/Respondent's legal counsel, any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the Applicant's/Respondent's legal counsel which will constitute delivery to the Applicant/Respondent.

(6) If the legal counsel for the Applicant/Respondent withdraws as legal counsel, EGBC is entitled to use the personal and unique email address of the Applicant/Respondent, or if the Applicant/Respondent is a Registrant Firm, the contact information for the individual designated to represent the Registrant Firm pursuant to subsection (2), as the address for delivery for any information or documents to the Applicant/Respondent, unless the withdrawing legal counsel or the Applicant/Respondent specify a different email address for delivery.

(7) The Decision Maker may retain legal counsel or other assistance in conducting a Proceeding.

1.4 Combining Proceedings

(1) If two or more Proceedings before the Discipline Committee involve

(a) the same Registrant, or

(b) the same or similar questions of fact, law, or policy,

the Discipline Committee may, without the consent of the parties, combine the Proceedings or any part of them or hear the Proceedings at the same time.

1.5 Disclosure and Evidence

(1) Unless otherwise agreed by the parties or ordered by the Decision Maker, EGBC must make disclosure to the Applicant/Respondent in the following manner:

(a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 60 days prior to the commencement of a hearing;

(b) all relevant written or documentary evidence at least 30 days prior to the commencement of a hearing;

(c) a list of the witnesses that EGBC expects to call at least 30 days prior to the commencement of the hearing;

(d) will-say statements of the witnesses that EGBC expects to call at least 15 days prior to the commencement of a hearing.

(2) Unless otherwise agreed by the parties or ordered by the Decision Maker, the Applicant/Respondent must provide the following to EGBC:

(a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 30 days prior to the commencement of a hearing;

(b) all written or documentary evidence on which the Applicant/Respondent intends to introduce at the hearing that has not already been disclosed by EGBC, at least 15 days prior to the commencement of a hearing;

(c) a list of the witnesses that the Applicant/Respondent expects to call at least 15 days prior to the commencement of a hearing;

(d) will-say statements of the witnesses that the Applicant/Respondent expects to call at least 7 days prior to the commencement of a hearing.

(3) A failure to comply with a timeline in subsection (1) or (2) does not make the document or evidence inadmissible, subject to the Decision Maker's obligation to ensure procedural fairness.

1.6 Pre-Hearing Conference

(1) The Decision Maker may convene a pre-hearing conference, either on its own motion or on the motion of a party made with written notice to the other party.

(2) The Decision Maker must, in consultation with the parties, identify and provide written notice of the date, time, and location of the pre-hearing conference, including whether the pre-hearing conference will be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b) and (c).

(3) The Decision Maker may determine any procedural matter at a pre-hearing conference that will foster the fair, just, and timely disposition of the hearing.

(4) The purposes of a pre-hearing conference include the following:

(a) identifying, simplifying, or narrowing the issues in dispute;

(b) resolving matters of procedure or evidence that can fairly be addressed prior to a hearing, either on the motion of a party or on the Decision Maker's own motion;

(c) scheduling the time and place of the hearing, including determining whether the hearing will be conducted in person, by Electronic Means, in writing, or by any combination thereof;

(d) identifying admissions or facts agreed upon by the parties;

(e) deciding upon applications made to vary any of the timelines set out in section 1.5(1) and (2) of this Schedule [*Disclosure and Evidence*];

(f) determining the matters set out in section 1.10(6) and (7) of this Schedule [*Witnesses*];

(g) otherwise setting timelines for the orderly conduct of the Proceeding, including pre-hearing steps;

(h) setting time limits, if appropriate, on

(i) the presentation of evidence,

(ii) the examination and cross-examination of witnesses, and

(iii) the presentation of opening and closing submissions;

(i) taking any steps necessary to ensure the best interests of witnesses are protected;

(j) determining the estimated duration of the hearing;

(k) resolving any other matter that may assist in the fair, just, and timely disposition of the hearing.

(5) A Decision Maker may direct that a hearing be conducted in writing pursuant to subsection (4)(c) if the Decision Maker is satisfied that:

(a) the Decision Maker can find the necessary facts to come to its decision based on the written record, despite any potential conflicts in the evidence; and,

(b) the Decision Maker making a decision on the basis of written submissions would not result in unfairness to any party.

(6) Submissions made by the parties at a pre-hearing conference are not admissible as evidence in a hearing.

1.7 Motions

(1) A motion is an application to the Decision Maker for an interlocutory order.

(2) All motions must be heard at a scheduled pre-hearing conference, unless otherwise ordered by the Decision Maker.

(3) A motion must

(a) be made in writing,

(b) set out the grounds for the motion,

(c) set out the relief requested, and

(d) be accompanied by any evidence to be relied upon.

(4) The party bringing the motion must deliver the motion and any accompanying evidence to the Decision Maker and the other party at least 7 business days prior to the date set for the hearing of the motion.

(5) The party responding to the motion may prepare a reply to the motion, which must be

(a) made in writing,

(b) set out the position of the party responding to the motion and the grounds for that position, and

(c) be accompanied by any evidence to be relied upon.

(6) The party responding to the motion must deliver the reply to the motion and any accompanying evidence to the Decision Maker and the other party at least 2 business days prior to the date set for the hearing of the motion.

(7) The Decision Maker may allow or require oral submissions from the parties in respect of the motion.

1.8 Adjournments

(1) A party may apply in writing to the Decision Maker for an adjournment of a hearing.

(2) An application for an adjournment must comply with the rules in section 1.7 of this Schedule *[Motions]*, unless the Decision Maker is satisfied that special circumstances exist.

(3) In considering an application for an adjournment, the Decision Maker may consider one or more of the following:

(a) the reason for the adjournment;

(b) whether the adjournment would cause unreasonable delay;

(c) the impact on the parties that would result from granting or refusing the adjournment;

(d) the public interest.

(4) The Decision Maker may

(a) grant an adjournment,

(b) grant an adjournment on terms or with conditions, or

(c) refuse to grant an adjournment.

1.9 Hearing

(1) As directed by the Decision Maker, a hearing will be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b) and (c).

(2) If a hearing has not yet been scheduled, the Decision Maker must schedule a hearing and provide written notice to the parties of the date(s), time(s), and location(s) or method(s) of the hearing.

(3) A hearing must be open to the public, unless the Decision Maker determines it would be appropriate to hold some or all of the hearing in private.

(4) A court reporter must keep a record of the hearing.

(5) A person attending a hearing must not record any part of the hearing without the consent of the Decision Maker.

(6) The Decision Maker may determine the procedures to be followed at a hearing, consistent with the principles of procedural fairness.

(7) In a discipline hearing, both EGBC and the Respondent may

(a) present evidence,

(b) reply to evidence,

(c) call witnesses,

(d) cross-examine the opposing party's witnesses,

(e) re-examine witnesses,

(f) make submissions, and

(g) reply to the opposing party's submissions.

(8) A party to a Proceeding must not put a document to a witness in cross-examination without having provided reasonable disclosure of the document to the opposing party in advance.

(9) The rules of evidence must not be strictly applied, subject to the Decision Maker's obligation to ensure procedural fairness.

(10) Nothing is admissible as evidence in a Proceeding that would be inadmissible in a court of law by reason of any privilege.

(11) The Decision Maker may place reasonable limits on the length of a party's submissions in a hearing.

(12) A party must not present new evidence in the party's closing submissions.

(13) In a discipline hearing, the Discipline Hearing Panel must not consider the questions of penalty or costs until the Discipline Hearing Panel has rendered a decision on the allegations in the citation.

(14) In a credentials hearing, the Registrar must not impose conditions on the ability of the Applicant to re-apply for registration without giving the Applicant the opportunity to respond to any proposed conditions.

1.10 Witnesses

(1) Parties are responsible for arranging the attendance of their own witnesses.

(2) Any witnesses testifying at a hearing must give an oath or affirmation before testifying, if competent to do so.

(3) The Decision Maker may ask questions of any witnesses.

(4) A Witness must not see or hear the testimony of other witnesses prior to giving testimony at a hearing, unless the witness is also a party to the hearing or is an expert whom the Decision Maker has ruled may be present for the testimony of an opposing party's expert.

(5) In a Proceeding involving a Registrant Firm, for the purpose of subsection (4), a witness who is an Individual With Authority or individual employed by or under contract with the Registrant Firm, other than the individual designated to represent the Registrant Firm in the Proceeding pursuant to section 1.3(2) of this Schedule [*Parties and Representation*], is not considered to be a party to the hearing and is subject to the restrictions on attending during witness testimony as set out in subsection (4).

(6) If the Decision Maker makes an order pursuant to section 34(3)(a) of the *Administrative Tribunals Act*, S.B.C. 2003, c. 45, at the request of EGBC or otherwise, to require the Respondent, or in the case of a Registrant Firm Respondent, any Individual With Authority or individual employed by or under contract with the Registrant Firm, to attend a discipline hearing for the purpose of giving evidence, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

(7) If the Supreme Court makes an order pursuant to section 80(2) of the PGA [*Witnesses*], on the motion of EGBC or otherwise, that a subpoena be issued to compel the attendance of the Respondent, or in the case of a Registrant Firm Respondent, an Individual With Authority or individual employed by or under contract with the Registrant Firm, at a discipline hearing, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

1.11 Decisions

(1) A Decision Maker is not bound by previous decisions of EGBC.

(2) A Decision Maker must give written reasons for their decision.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

Schedule C – Fees

[amended 2021-12-15]

1.1 Fees for Individual Registrants

Fee Description	Amount
APPLICATION FEES	
Application fee for Trainee (EIT/ GIT) Applicant	
a. who is an academically qualified EIT, GIT, MIT, ing jr, géo jr, or CPI in other Canadian province/territory and is applying for the same designation as they hold in the other province or territory	**$0.00**
b. who applies within 12 months of graduation from an engineering or geoscience post-secondary program	**$0.00**
c. who applies more than 12 months after graduation from an engineering or geoscience post-secondary program	**$475.00**
Application fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. First time Applicant not licensed or registered in another Canadian province/territory	**$475.00**
b. Who holds an equivalent licence or registration in another Canadian province/territory	**$250.00**
c. Application for Minor Change to authorized area of Reserved Practice	**$200.00**
d. Application for Major Change to authorized area of Reserved Practice	**$400.00**
Application fee for professional engineer/ professional geoscience Applicant	
a. First time Applicant not registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	**$475.00**
b. Applicant who is registered with another registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	**$250.00**
c. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and whose EIT/GIT application fee was waived	**$325.00**
d. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and who paid an application fee for EIT/GIT application	**$0.00**
Application fee for designated structural engineer Applicant	**$500.00**
Application fee for reinstatement as a Professional Registrant	
a. within 6 months of resignation, removal or conversion to non-practising registration	**$50.00**

Fee Description	Amount
b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration	**$100.00**
c. over 18 months after resignation, removal or conversion to non-practising registration	**$300.00**
Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant	**$50.00**
EXAMINATION FEES	
Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant	
a. Per Examination	**$360.00**
b. Defer Examination to a subsequent session	**$220.00**
c. Request Examination Re-read per Examination	**$200.00**
Examination fees for designated structural engineer Applicant	
a. BC Codes and Practices Examination	**$500.00**
b. Institution of Structural Engineers Chartered Membership Examination	**$1,000.00**
Examination fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. Per Examination	**$360.00**
b. Defer Examination to a subsequent session	**$220.00**
c. Request Examination Re-read per Examination	**$200.00**
Professional Practice Examination fee for all applicable Applicants or Registrants	
a. Multiple Choice and Essay sections	**$260.00**
b. [Repealed 2021-04-23]	
INTERVIEW FEES	
Interview fee for all applicable Applicants	
a. In-person interview at EGBC office	**$0.00**
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	**$ 200.00**
c. Remote Interview by Videoconference	**$200.00**
Interview fee for reinstatement as a Professional Registrant	
a. In-person interview at EGBC office	**$0.00**
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	**$200.00**

Fee Description	Amount
c. Remote Interview by Videoconference	**$200.00**
COURSE FEES	
Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants	**$275.00**
Course fee for Working in Canada Seminar - Per unit - Four-unit Seminar	 **$50.00** **$200.00**
REGISTRATION & DESIGNATION FEES	
Registration fee for registration as an individual Registrant (other than a Trainee)	**$270.00**
Annual fee for designation as a designated structural engineer	**$300.00**
ANNUAL FEES	
Annual fee 2021	
Trainee (EIT/GIT)	
a. Full Fee	**$276.00**
b. Reduced Fee for Hardship	**$138.00**
c. Medically unable to work	**$0.00**
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	**$450.00**
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	**$225.00**
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	**$418.62**
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	**$209.31**
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	**$225.00**
b. Professional Licensee Engineering/Professional Licensee Geoscience	**$209.31**
c. Registrant medically unable to work (non-practising)	**$0.00**
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated annual fee**
Annual Fee 2022	
Trainee (EIT/GIT)	
a. Full Fee	**$276.00**

Fee Description	Amount
b. Reduced Fee for Hardship	**$138.00**
c. Medically unable to work	**$0.00**
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	**$460.00**
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	**$230.00**
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	**$418.00**
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	**$209.00**
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	**$115.00**
b. Professional Licensee Engineering/Professional Licensee Geoscience	**$104.50**
c. Registrant medically unable to work (non-practising)	**$0.00**
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated annual fee**
REPLACEMENT / ADDITIONAL FEES	
Additional Manual Seal	
a. 30 mm Rubber Stamp	**$30.00**
b. 30 mm Self Inking Stamp (black ink unless specified)	**$50.00**
c. 50 mm Rubber Stamp	**$35.00**
d. 50 mm Self Inking Stamp (black ink unless specified)	**$55.00**
e. Long Reach Seal	**$85.00**
f. Professional Licensee Rubber Stamp	**$40.00**
g. Professional Licensee Self Inking Stamp	**$50.00**
Rush Order Fee for Stamp Order	**$20.00**
Additional certificate of registration	**$25.00**
Rush Order Fee for Certificate Order	**$20.00**
LATE FEES	
Late fee for failure to pay annual fee	**15% of Annual fee for Registration category**

Fee Description	Amount
Late fee for failure to pay a special assessment	**15% of Special assessment fee**
Late reporting fee for: a. Failure to provide certain information published on the register or personal and unique email address b. Failure to submit a completed CEP Declaration	**2021 only: $0** **2022 onwards: $100.00**
Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30	**$50.00**
Late completion fee for failure to complete CE plan, CE hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)	**$200.00**
RECONSIDERATION AND REVIEW ON THE RECORD FEES	
Reconsideration fee	**$150.00**
Review on the record fee	**$500.00**

1.2 Fees for Registrant Firms

Fee Description	Amount
APPLICATION FEE	
Application fee for Registration as a Registrant Firm	**$350.00**
ANNUAL FEES	
Annual fee for Registrant Firm	
a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:	**$250.00**
b. Registrant Firms with more than one Professional Registrant employed by or under contract with the Registrant Firm, or Registrant Firms that are sole practitioners with more than 2 Trainees employed by or under contract with the Registrant Firm:	**$500*SQRT(n), where n = # of Professional Registrants and Trainees, but does not include non-practising individual Registrants employed by or under contract with the Registrant Firm.**
Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated, based on annual fee formula.**
[Repealed 2021-06-25]	
SPECIAL ASSESSMENTS	
Special assessments (if any)	
LATE FEES	
Late fee for failure to pay annual fee	**15% of Annual Fee of each category above**
Late fee for failure to pay a special assessment	**15% of special assessment**
Late reporting fee for failure to provide: a. Certain information published on the register b. Personal and unique email addresses for all Responsible Officers and Responsible Registrants	**$100.00**
Late completion fee for Regulation of Firms Training Program (for each Responsible Registrant who completes the Program late)	**$200.00**

Fee Description	Amount
REVIEW ON THE RECORD FEE	
Review on the record fee	**$500.00**

Schedule D – Responsible Registrant Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as a Responsible Registrant of <Name of Applicant Firm or Registrant Firm> (the "Registrant Firm"), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.

2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Registrants set out therein.

3. I am submitting this declaration for the purpose of registering as a Responsible Registrant for the Registrant Firm or proposed Registrant Firm indicated on this declaration. I agree to act as Responsible Registrant for the Registrant Firm, including undertaking the responsibilities of a Responsible Registrant as set out in the Bylaws, guidelines, standards, and policies of EGBC.

4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.

5. I am registered with EGBC as a Professional Registrant In Good Standing.

6. I will notify EGBC if I am currently, or become in the future, the subject of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

7. I understand and acknowledge that:

    a. the Regulated Practice carried out by the Registrant Firm, including by any individual operating under the Registrant Firm's Permit to Practice, must be reviewed and Authenticated in accordance with the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

    b. I remain fully accountable on behalf of the Registrant Firm for ensuring that, within the areas of practice that I have been designated to oversee pursuant to section 5.12(5) of the Bylaws *[Registrant Firm]*, the Registrant Firm conforms to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

c. the Registrant Firm must develop and enforce a Professional Practice Management Plan to be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;

d. the Professional Practice Management Plan must conform to the requirements of section 7.7.3 of the Bylaws *[Professional Practice Management Plan]* and any additional requirements set out in the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

e. the Registrant Firm must develop and enforce quality management policies and procedures applicable to the Registrant Firm and all individuals who are operating under the Registrant Firm's Permit to Practice;

f. it is my responsibility to ensure that the quality management policies and procedures related to the areas of practice to which I have been designated pursuant to section 5.12(5) of the Bylaws *[Registrant Firm]* conform to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

g. a copy of the Professional Practice Management Plan must be provided to all individuals operating under the Registrant Firm's Permit to Practice, and the Registrant Firm must take reasonable steps to ensure that regular orientation and training is provided to all individuals operating under the Registrant Firm's Permit to Practice regarding the contents and implementation of the Professional Practice Management Plan;

h. the Registrant Firm must ensure that all individuals operating under the Registrant Firm's Permit to Practice adhere to the Registrant Firm's Professional Practice Management Plan;

i. the details of the quality management policies and procedures of the Registrant Firm must be documented in the Professional Practice Management Plan and updated as necessary; and

j. if EGBC is conducting an audit, practice review, investigation, or disciplinary proceeding in relation to the Registrant Firm, as a Responsible Registrant it is my responsibility to: facilitate requests for documents, information, site visits, and interviews; respond to communications; and assist with any other items or arrangements required or requested by EGBC.

8. I will respond to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.

9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and will take all reasonable steps to ensure that the information is updated as needed and in accordance with the requirements set out in the PGA and Bylaws.

10. I will participate in the mandatory Regulation of Firms Training Program provided by EGBC, either:

    a. If the Registrant Firm does not yet have a Permit to Practice, within 12 months of the Registrant Firm being issued a Permit to Practice by EGBC; or

    b. If the Registrant Firm has already been issued a Permit to Practice by EGBC at any time, within 3 months of submitting this declaration to EGBC;

    AND, in either case, at minimum every 5 years thereafter.

11. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as a Responsible Registrant in association with the Registrant Firm's Permit to Practice with EGBC.

Schedule E – Responsible Officer Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as the Responsible Officer of <Name of Applicant Firm or Registrant Firm> (the "Registrant Firm"), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.

2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Officers set out therein.

3. I am submitting this declaration for the purpose of registering as the Responsible Officer of the Registrant Firm indicated on this declaration. I further confirm that I possess the necessary authority to legally bind the Registrant Firm in relation to all matters falling under the PGA and Bylaws of EGBC, and I agree to undertake the responsibilities of a Responsible Officer set out in the Bylaws, guidelines, standards, and policies of EGBC.

4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.

5. IF A PROFESSIONAL REGISTRANT OF EGBC: I am registered with EGBC as a Professional Registrant In Good Standing. I will notify EGBC if I am currently, or become the subject in the future, of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

6. I will notify EGBC if the Registrant Firm is currently, or becomes in the future, subject to an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction which could result in the Registrant Firm's entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

7. I understand and acknowledge that:

    a. in order to engage in the Reserved Practice, the Registrant Firm must be registered with EGBC and have at least one Professional Registrant designated to act as the Responsible Registrant for each area of practice engaged in by the Registrant Firm;

b. the Registrant Firm must ensure that the Responsible Registrant(s) have the necessary authority to oversee the Regulated Practice within the areas of practice that each Responsible Registrant has been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], and to take the steps necessary to ensure that the Registrant Firm complies with the requirements in the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

c. the Regulated Practice carried out by individuals operating under the Registrant Firm's Permit to Practice must conform to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

d. the Registrant Firm must develop and enforce a Professional Practice Management Plan that conforms with the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*], including setting out quality management policies and procedures applicable to the Regulated Practice carried out by the Registrant Firm;

e. the Registrant Firm must have its Professional Practice Management Plan in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;

f. I must document my approval of the Professional Practice Management Plan on behalf of the Registrant Firm upon its implementation, as well as after each annual review conducted pursuant to section 7.7.3(7)(a) and (b) of the Bylaws [*Professional Practice Management Plan*]; and

g. the Registrant Firm is obligated to co-operate completely with the audit, practice review, investigation, and discipline processes conducted by EGBC, including providing all requested documents and information, facilitating site visits and interviews, and managing communications with EGBC in a timely manner.

8. I will reply to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.

9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and I understand that the Registrant Firm must:

   a. provide EGBC with up-to-date and accurate contact information for myself, the Registrant Firm, and all Responsible Registrants of the Registrant Firm;

   b. ensure that the contact information that has been provided to EGBC is updated as needed, in accordance with the requirements set out in the Bylaws; and

c. provide up-to-date information regarding all Professional Registrants operating under the Registrant Firm's Permit to Practice, to be updated as needed in accordance with the requirements set out in the Bylaws.

10. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as the Registrant Firm's Responsible Officer in association with the Registrant Firm's Permit to Practice.

11. I will provide notice to EGBC within 15 days of the occurrence of any of the following situations, as required pursuant to section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*]:

    a. there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm; or

    b. the Registrant Firm

        i. becomes the subject of an application for a bankruptcy order,

        ii. makes an assignment for the general benefit of creditors, or

        iii. makes or becomes the subject of a Division I or Division II proposal,

12. I will contact EGBC should the Registrant Firm wish to cancel its Permit to Practice and will ensure that the Registrant Firm abides by any conditions or requirements as may be directed by EGBC at that time.

Pursuant to the *Professional Governance Act,* S.B.C. 2018, c. 47

BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

In Force Effective September X, 2022

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

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1 Definitions and Communications

1.1 Definitions

(1) In these Bylaws the following definitions apply:

"Abuse of Process" means the complaint process is not being fairly or honestly used, or where multiple or successive complaints are made to cause vexation or oppression.

"Accounting Records" means true accounts of

(a) the assets and liabilities of EGBC,

(b) the sums of money received and expended by EGBC, and

(c) the manner in respect of which such receipt and expenditure takes place.

"Alternative Complaint Resolution" means a process or processes for the full or partial resolution of one or more matters to be dealt with at a discipline hearing and includes

(a) negotiation,

(b) mediation, or

(c) other processes the parties agree to.

"Applicant" means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

"Audit and Practice Review Committee" means the audit and practice review committee established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].

"Authenticate" means the act of a Professional Registrant Manually Authenticating or Digitally Authenticating a Document.

"Bad Faith" refers to a complaint that was made with untruthful, misleading, or unduly insensitive intent where the Complainant is motivated by malice or financial gain.

"Branch" means a geographical group of Registrants.

"Branch Representatives' Chair" means an individual who is appointed by the Council to chair meetings of representatives of each Branch and to act as a liaison between those representatives and the Council.

"Bylaws" means the bylaws of EGBC under the PGA.

"Certificate Authority" means a third party approved by EGBC to issue Digital Certificates to Professional Registrants.

"Code of Conduct" means the document created or adopted by a Registrant Firm pursuant to section 7.7.3(1)(a) of the Bylaws [*Professional Practice Management Plan*].

"Code of Ethics" means the Code of Ethics of EGBC set out in Schedule A of the Bylaws.

"Committee" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Communications and Leadership Learning" means Continuing Education Activities related to advancing an individual Registrant's non-technical knowledge and skills, including communications and leadership skills.

"Complainant" means a person who files a complaint against a Registrant and includes a member of the public or another Registrant.

"Conduct of Concern" means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

"Conduct Unbecoming a Registrant" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Continuing Education Activity" means an activity related to advancing an individual Registrant's knowledge in the categories of Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

"Continuing Education Hour" means one hour of a Continuing Education Activity that contributes to an individual Registrant's maintenance of competency within the individual Registrant's

(a) current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant, or

(b) former area(s) of practice, if the individual Registrant is a non-practising Registrant or a life member or life limited licensee.

"Council" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Credentials Committee" means the credentials committee established pursuant to section 44(1) of the PGA [*Credentials committee*].

"Decision Maker" means

(a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

"Delegated" means, in relation to Direct Supervision, a Subordinate being directed to undertake certain activities, work, or decisions related to the Regulated Practice on behalf of a Professional Registrant who takes professional responsibility for the work of the Subordinate.

"Deputy Registrar" means any individual appointed by the Council as deputy registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

"Different Governing Body" means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

"Digital Certificate" means a certificate issued to a Professional Registrant by a Certificate Authority that attests to the legitimacy of information through the use of encryption.

"Digitally Authenticating" means a Professional Registrant applying all of the following to a Document:

(a) the Professional Registrant's Digital Seal;

(b) a digital image of the Professional Registrant's signature;

(c) a digital image of the date of authentication;

(d) the Professional Registrant's Digital Certificate.

"Digital Seal" means a digital image of a Professional Registrant's Manual Seal, with no material variation in format or wording.

"Direct Supervision" means the responsibility for the control and conduct of the activities, work, or decisions related to the Regulated Practice that have been Delegated to a Subordinate.

"Disciplinary Order" means any of the following:

(a) an order made pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*];

(b) an order made pursuant to section 67(1) of the PGA [*Extraordinary action*];

(c) a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*];

(d) a consent order made pursuant to section 73(2)(a) or (b) of the PGA [*Consent orders*];

(e) any agreement reached through the Alternative Complaint Resolution process pursuant to section 74 of the PGA [*Alternative complaint resolution*];

(f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [*Discipline hearings*], as applicable;

(g) an assessment of costs made pursuant to section 81(1) of the PGA [*Costs*].

"Discipline Committee" means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

"**Discipline Hearing Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

"**Discipline Resolution Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of attempting to resolve one or more matters set out in a citation by means other than a discipline hearing pursuant to sections 72 to 74 of the PGA.

"Document" includes any physical or electronic record, including but not limited to a report, certificate, memo, specification, drawing, map, or plan, that conveys a design, direction, estimate, calculation, opinion, interpretation, observation, model, or simulation that relates to the Regulated Practice.

"EGA" means the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116.

"EGBC" means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

"Electronic Means" includes videoconference, telephone conference, and webcasting.

"Ethical Learning", means Continuing Education Activities related to advancing an individual Registrant's knowledge of how to act ethically and meet the ethical obligations of Registrants pursuant to the PGA, regulations, Bylaws, and Code of Ethics.

"Executive Director" means the individual appointed by the Council as the chief executive officer of EGBC pursuant to section 32(1)(a) of the PGA [*Officers and committees*], who may also be the Registrar.

"**Extraordinary Action Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of considering action that may be taken pursuant to section 67 of the PGA [*Extraordinary action*].

"Firm" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Frivolous" refers to a complaint that is obviously unsustainable in law or that displays no reasonable cause for complaint in law.

"Government Registrant" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Incompetent" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"**Individual With Authority**" means an individual that is:

(a) in respect of a Firm that is a corporation, a director or senior officer;

(b) in respect of a Firm that is a partnership, a partner;

(c) in respect of a Firm that is a sole proprietorship, an owner; or

(d) any other individual that is authorized by a Firm to act in a similar capacity as a director, senior officer, or partner and to make legally binding decisions and take binding action on behalf of the Firm.

"In Good Standing" means a Registrant meets all of the following criteria:

(a) the Registrant's registration is not suspended;

(b) the Registrant has paid any annual fee owing to EGBC; and

(c) if the Registrant is a Registrant Firm,

(i) the Registrant Firm's registration and Permit to Practice are not suspended, and

(ii) there are no conditions on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice.

"Inspector" means the Registrar and any person appointed as an inspector pursuant to section 68 of the PGA [*Inspectors*].

"Investigation Committee" means the investigation committee established pursuant to section 64 of the PGA [*Investigation committee*].

"Investigation Subcommittee" means any number of members of the Investigation Committee authorized by the Investigation Committee to carry out an investigation or oversee and take responsibility for an investigation carried out by an Investigator, which members may be the same as those serving on a Resolution Subcommittee.

"Investigator" means any of the following individuals:

(a) a member of an Investigation Subcommittee;

(b) an officer or an employee of EGBC or a contractor retained by EGBC who is authorized by the Investigation Committee to carry out an investigation pursuant to section 66(1)(a) of the PGA *[Investigations*];

(c) an Inspector appointed by the Investigation Committee pursuant to section 68(1) of the PGA [*Inspectors*].

"Lay Committee Member" means the same as defined in section 21 of the PGA [*Definition*].

"Lay Councillor" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Major Non-Conformance" means a situation in which, based on the evidence provided to the assessor,

(a) there is systemic failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), or

(b) there are reasonable and probable grounds to believe that a Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

"Manually Authenticating" means a Professional Registrant applying all of the following to a Document:

(a) the Professional Registrant's Manual Seal;

(b) the Professional Registrant's handwritten signature;

(c) the date of authentication.

"Manual Seal" means the ink stamp or embossing machine issued to a Professional Registrant by EGBC that can create an impression on a Document.

"Minor Non-Conformance" means a situation in which, based on the evidence provided to the assessor,

(a) there has been failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), but such failure is not systemic, and

(b) there are no reasonable and probable grounds to believe that the Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

"Nomination Committee" means the nomination committee established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].

“Non-Contentious Decision” means a decision which, pursuant to a policy approved by the Council, may be made by an officer in relation to an application for enrolment, admission, or reinstatement pursuant to the Bylaws.

"**Panel**" means one or more of the following:

(a) Extraordinary Action Panel;

(b) Discipline Resolution Panel;

(c) Discipline Hearing Panel.

“Permit to Practice” means a certificate bearing a Permit to Practice Number that is issued to a Registrant Firm by EGBC and confirms that the Registrant Firm is entitled to engage in the Reserved Practice in British Columbia, subject to any suspensions, limitations, conditions, or restrictions on the Registrant Firm’s registration.

“Permit to Practice Number” means the unique number that is issued to a Registrant Firm by EGBC and appears on the Permit to Practice.

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

“Practice Advice Program” means a program offered by EGBC to assist Registrants in dealing with professional or ethical issues, as required by section 57(1)(d) of the PGA [*Standards of conduct and competence*].

“Practice Advisor” means an individual Registrant employed or retained by EGBC who receives and responds to professional or ethical inquiries of Registrants through the Practice Advice Program.

“Practice of Professional Engineering” 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*] and prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

“Practice of Professional Geoscience” 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*] and prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

“Private Sector Firm” means a Registrant Firm that is designated as a Private Sector Firm pursuant to section 5.12.2(2) of the Bylaws [*Private Sector Firm*].

“Proceeding” means a motion, application, pre-hearing conference or hearing.

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

"Professional of Record" means the Professional Registrant who is professionally responsible for activities, work, or Documents related to the Regulated Practice.

"Professional Practice Management Plan" means a document that is developed and maintained by a Registrant Firm and must meet the requirements set out in section 7.7.3 of the Bylaws [*Professional Practice Management Plan*].

"Professional Registrant" means a Registrant who is registered in one of the following categories of Registrants:

(a) professional engineer;

(b) professional geoscientist;

(c) professional licensee engineering;

(d) professional licensee geoscience;

(e) life member prior to 1998;

(f) honorary life member.

"Public Sector Firm" means a Registrant Firm that is designated as a Public Sector Firm pursuant to section 5.12.1(2) of the Bylaws [*Public Sector Firm*].

"Recent Historical Member" means the same as defined in section 1.4 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Definitions*].

"Register" means the register on a publicly available website maintained by or on behalf of EGBC pursuant to section 31(3) of the PGA [*Registrar and register for regulatory body*].

"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*].

"Registrant Firm" means a Firm that is registered with EGBC as a Registrant.

"Registrar" means the individual appointed by the Council as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

"Regulated Practice" 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]* and prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

"Regulation of Firms Training Program" means the training program designated by EGBC for providing training and information to Responsible Registrants of Registrant Firms.

"Regulatory Authority" means a licensing or certification body for regulating engineering or geoscience in Canada, or an institution in another country that is, in the opinion of the Council, equivalent to EGBC.

"Regulatory Committee" means the Credentials Committee, the Audit and Practice Review Committee, the Investigation Committee, or the Discipline Committee.

"Regulatory Learning", means Continuing Education Activities related to advancing an individual Registrant's knowledge of the relevant regulatory requirements, including the PGA, regulations, Bylaws, Code of Ethics, codes, standards, policies, and requirements in relevant legislation.

"Reporting Year" means the period beginning on July 1 of a calendar year and ending on June 30 of the following calendar year.

"Reserved Practice" means the same as prescribed by the *Engineers and Geoscientists Regulation,* B.C. Reg. 14/2021.

"Resolution Subcommittee" means any number of members of the Investigation Committee authorized by the Investigation Committee to attempt to resolve or oversee an attempt to resolve one or more matters subject to investigation pursuant to sections 72 to 74 of the PGA, which members may be the same as those serving on an Investigation Subcommittee.

"Respondent" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Responsible Officer" means an individual who has been designated by a Registrant Firm pursuant to section 5.12(13) of the Bylaws [*Registrant Firm*], must meet the requirements set out in sections 5.12(14), (15), (16) and (17) of the Bylaws [*Registrant Firm*], and has the responsibilities set out in section 5.12(18) of the Bylaws [*Registrant Firm*].

"Responsible Registrant" means a Professional Registrant who has been designated by a Registrant Firm pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], must meet the criteria set out in sections 5.12(7) and (8) of the Bylaws [*Registrant Firm*], and has the responsibilities set out in section 5.12(9) of the Bylaws [*Registrant Firm*].

"Robert's Rules of Order" means the procedural rules set out in the guide published by the Robert's Rules Association under the title "Robert's Rules of Order Newly Revised".

"Sole Practitioner" means a Professional Registrant who practises on their own, either in an incorporated or unincorporated manner.

"Structural Design" means a design of a Structure.

"Structure" means a series of connected, interrelated elements that form a system that provides adequate rigidity and can resist a series of external load effects applied to it, including its own weight. Examples include temporary or permanent structures such as buildings, retaining walls, large signage, support towers, bridges, dams, and tunnels.

"Subordinate" means any individual who engages in the Regulated Practice under the Direct Supervision of a Professional Registrant.

"Technical Learning" means Continuing Education Activities related to advancing an individual Registrant's technical and professional knowledge and skills within an individual Registrant's area(s) of practice, including any anticipated future area(s) of practice.

"Three-Year Rolling Period" means a period of 3 consecutive Reporting Years, with a new period starting on the first day of each Reporting Year. For greater clarity, Reporting Years 1, 2 and 3 is one period, Reporting Years 2, 3 and 4 is one period, and Reporting Years 3, 4 and 5 is one period, with the pattern continuing.

"Trainee" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

"Trivial" refers to a complaint that has no merit and does not warrant further investigation.

"Vexatious" refers to a complaint that has the intent of annoying, harassing, embarrassing, or abusing another party, or abusing the complaint process.

1.2 Written Notice to Registrants

(1) In all instances where written notice is required to be provided to an individual Registrant pursuant to the PGA or the Bylaws, written notice to the individual Registrant may be provided by way of the individual Registrant's personal and unique email address.

(2) In all instances where written notice is required to be provided to a Registrant Firm pursuant to the PGA or the Bylaws, written notice to the Registrant Firm may be provided by way of the personal and unique email address of the Responsible Officer or any of the Responsible Registrants of the Registrant Firm.

2 Governance

2.1 Committees Established

(1) The Nomination Committee is established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].

(2) The Credentials Committee is established pursuant to section 44(1) of the PGA [*Credentials committee*].

(3) The Audit and Practice Review Committee is established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].

(4) The Investigation Committee is established pursuant to section 64 of the PGA [*Investigation committee*].

(5) The Discipline Committee is established pursuant to section 75(1) of the PGA [*Discipline hearings*].

2.2 Chairs, Vice-Chairs, and Members of Committees

(1) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council must appoint a chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].

(2) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council may appoint a vice-chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].

(3) Any vice-chair appointed pursuant to subsection (2) may assume the role of chair in the following situations:

(a) whenever the chair is unavailable to act, but not for a term that is longer than the remainder of the term of the chair;

(b) whenever there is no chair appointed, until a chair is appointed by the Council or the term of the vice-chair expires.

(4) At a meeting of a Committee, if neither the chair nor any vice-chair of the Committee attends the meeting in person or by Electronic Means at its appointed time, the Committee members may choose one of their number to chair the meeting.

(5) The Council must appoint the members of each Committee.

(6) For each Regulatory Committee, the Council must appoint Professional Registrants to constitute a majority of the Regulatory Committee members.

(7) If the composition of a Regulatory Committee changes such that Professional Registrants no longer constitute a majority of Regulatory Committee members, the Regulatory Committee may continue to operate and carry out its business without a majority of Professional Registrants for up to one year.

(8) A member, a vice-chair, or a chair of a Committee who is an individual Registrant and whose registration has been suspended or cancelled is terminated from the Committee effective the start date of the suspension or cancellation.

(9) A Committee member serves on a Committee at the pleasure of the Council and may be removed by the Council from a Committee before the expiry of their term of office without prior notice to the Committee member.

2.3 Conduct of Committee Meetings

(1) A Committee may meet or adjourn as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.

(2) Questions arising at a meeting of a Committee must be decided by a majority of the Committee members attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.

(3) Despite subsection (2), the chair of a meeting of a Committee may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(4) A resolution that is assented to and adopted by Committee members in writing, although not passed during a meeting of the Committee, is of the same force and effect as if it had been duly passed at a meeting of the Committee.

2.4 Conduct of Council Meetings

(1) The Council may meet or adjourn as it sees fit, including meeting by any combination of councillors attending in person or by Electronic Means.

(2) The Council may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a meeting of the Council.

(3) The rules contained in Robert's Rules of Order must govern the conduct of Council meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by Council pursuant to subsection (2).

(4) A meeting of the Council is open to the public.

(5) Despite subsection (4), the Council is authorized to hold any meeting or a portion of any meeting in the absence of the public or any other person who is not a councillor pursuant to section 35(2) of the PGA [*Bylaws of council*].

(6) The Executive Director must

(a) call a meeting of the Council at the request of the president of the Council or any 3 councillors, and

(b) provide reasonable written notice to the Council of the date, hour, place, and purpose of a meeting of the Council.

(7) At a meeting of the Council, if neither the president of the Council nor the vice president of the Council attend the meeting in person or by Electronic Means at its appointed time, the Council may choose one of their number to chair the meeting, and the chair so chosen may exercise all of the functions and authority of the president of the Council for the conduct of the meeting.

(8) Questions arising at a meeting of the Council must be decided by a majority of the voting councillors attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.

(9) Despite subsection (8), the chair of a meeting of the Council may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(10) A resolution that is assented to and adopted by the councillors in writing, although not passed at a meeting of the Council, is of the same force and effect as if it had been duly passed at a meeting of the Council.

(11) The Executive Director must ensure that minutes are taken at each meeting of the Council.

2.5 Executive Director, Registrar, and Deputy Registrar(s)

(1) The Council must appoint an Executive Director pursuant to section 32(1)(a) of the PGA [*Officers and committees*].

(2) The Council authorizes the Executive Director to exercise the Council's power to terminate the appointment of the Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

(3) The Council authorizes the Executive Director to exercise the Council's powers to appoint any number of Deputy Registrars and terminate the appointment of a Deputy Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

(4) Pursuant to section 31(2) of the PGA [*Registrar and register for regulatory body*] the Council authorizes any Deputy Registrar(s) to exercise any of the powers and perform any of the duties of the Registrar set out in the Bylaws.

2.6 Accounting Records of EGBC

(1) Accounting Records must be maintained by EGBC and must be available for inspection by the Council.

(2) No Registrant, other than a Registrant who is on the Council, has any right to inspect any Accounting Records of EGBC, except as authorized by the Council or as required by law.

(3) The Council may determine whether, to what extent, at what time(s) and place(s), and under what conditions or regulations Accounting Records may be open to the inspection of Registrants that are not on the Council.

2.7 Financial Statements and Audit

(1) Financial statements must be drawn up annually, and such financial statements, together with the books of EGBC, must be audited annually by a chartered professional accountant appointed by the Council as an auditor.

(2) A report duly signed by the auditor appointed pursuant to subsection (1) must be presented to Registrants, and the Council must cause such report, together with the financial statements of EGBC, to be made available to all Registrants at least 15 days prior to the annual general meeting.

(3) The auditor's report and the financial statements of EGBC required pursuant to subsection (2) must be accompanied by a report of the Executive Director as to the state of the affairs of EGBC, which must be published on a public website maintained by EGBC at least 15 days prior to the annual general meeting.

2.8 Seal of EGBC

(1) EGBC must have a seal.

(2) EGBC's seal must be affixed by the Executive Director or those persons designated by the Executive Director, to those instruments determined by the Executive Director.

2.9 Branches

(1) Pursuant to section 35(1)(g) of the PGA [*Bylaws of council*], the Council may continue or establish Branches.

3 General Meetings

3.1 Conduct of General Meetings

(1) A general meeting must be held in the manner provided in section 33 of the PGA [*General meetings of regulatory bodies*].

(2) At the discretion of the Council, a general meeting may be held with Registrants attending

(a) in person,

(b) by Electronic Means, or

(c) in any combination of Registrants attending in person or by Electronic Means.

(3) The Council may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a general meeting.

(4) The rules contained in Robert's Rules of Order must govern the conduct of general meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by Council pursuant to subsection (3).

(5) Any policies, procedures, or rules of order adopted or established by the Council prior to the general meeting pursuant to subsection (3) must be published on a public website maintained by EGBC prior to the general meeting to which the policies, procedures, or rules of order are to apply.

(6) The Executive Director must ensure that minutes are taken at each general meeting.

3.2 Request for General Meetings

(1) A written request that the Council call a general meeting pursuant to section 33(4) of the PGA [*General meetings of regulatory bodies*] must be accompanied by a notice setting out specifically the business to be transacted at the general meeting.

3.3 Notice of General Meetings

(1) Notice of the time and place of a general meeting must be

(a) published on a public website maintained by EGBC, and

(b) provided in writing to Registrants In Good Standing,

at least 21 days prior to the general meeting.

(2) If the Council has determined pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*] that a general meeting will be held by Electronic Means, or by any combination of Registrants attending in person or by Electronic Means, this determination must be included in the notice of the general meeting that is published pursuant to subsection (1).

(3) Accidental omissions in the delivery of notice or non-receipt of a notice required pursuant to subsection (1) by any Registrant entitled to receive notice does not invalidate the proceedings at a general meeting.

3.4 Chair of General Meetings

(1) The president of the Council must act as chair of a general meeting.

(2) Despite subsection (1), the vice president of the Council must act as chair of a general meeting if the president of the Council

(a) does not attend in person or by Electronic Means at the time appointed for holding the general meeting, or

(b) is not willing to act as chair of the general meeting.

(3) Despite subsections (1) and (2), the Council may choose one of their number to chair the general meeting if both the president of the Council and the vice president of the Council

(a) do not attend the general meeting in person or by Electronic Means at its appointed time, or

(b) are not willing to act as chair of the general meeting.

3.5 Quorum for General Meetings

(1) The quorum requirement for a general meeting is 50 individual Registrants In Good Standing, whether attending the general meeting

(a) in person, or

(b) by Electronic Means, if the Council has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].

3.6 Eligibility and Entitlement to Vote

(1) A Registrant is eligible to vote in a resolution, a referendum, and an election of the Council if the Registrant, at the time the Registrant casts the Registrant's vote

(a) is In Good Standing, and

(b) belongs to one of the following categories of Registrants:

(i) Trainee;

(ii) professional engineer;

(iii) professional geoscientist;

(iv) professional licensee engineering;

(v) professional licensee geoscience;

(vi) life member prior to 1998;

(vii) honorary life member;

(viii) non-practising;

(ix) life members or life limited licensees.

3.7 Resolutions Proposed by Registrants

(1) A Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] may deliver a written notice to the Executive Director not fewer than 30 days before the date set for a general meeting requesting the consideration of a resolution at the general meeting.

(2) A written notice delivered by a Registrant pursuant to subsection (1) must

(a) identify the Registrant as the mover of the resolution,

(b) identify another Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] as a seconder of the resolution, and

(c) contain the text of the resolution, which must not include a preamble.

(3) A resolution delivered by a Registrant pursuant to subsections (1) and (2) must be reviewed by the Executive Director to ensure the resolution is eligible for consideration at a general meeting, in accordance with any policies, procedures, or rules of order adopted or applicable pursuant to sections 3.1(3) and (4) of the Bylaws [*Conduct of General Meetings*].

(4) If a resolution is eligible for consideration at the general meeting pursuant to subsection (3) the Executive Director must do all of the following at least 14 days before the date of the general meeting:

(a) deliver written notice of the resolution to Registrants who have voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*];

(b) publish notice of the resolution, including the text of the resolution, on a public website maintained by EGBC.

(5) The accidental omission to deliver written notice of a resolution to, or the non-receipt of written notice by, any Registrant entitled to receive notice does not invalidate the resolution.

3.8 Voting on Resolutions

(1) A vote of a general meeting may be taken in the manner determined by the Council, subject to the PGA, applicable regulations, and the Bylaws.

(2) When a resolution is decided by a vote of a general meeting,

(a) the chair of the general meeting must declare that the resolution has been carried or lost, and

(b) minutes made that the resolution has been carried or lost are conclusive evidence of that fact, without proof of the number or proportion of the votes recorded in favour or against the resolution.

(3) A Registrant must have one vote in a resolution put to a vote of the general meeting if the Registrant has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] and is attending the general meeting

(a) in person, or

(b) by Electronic Means, if the Council has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].

(4) Despite subsection (3), the chair of a general meeting may only vote on a resolution put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.

(5) Except as provided in section 34 of the PGA [*Implementing resolutions of general meetings*], a resolution approved at a general meeting does not bind the Council, any Committee, or any officer, employee, or agent of EGBC in the exercise of its or their powers or in performance of its or their duties under the PGA or any other enactment.

3.9 Adjourning General Meetings

(1) The chair of a general meeting may adjourn the general meeting from time to time and from place to place.

(2) The only business that may be transacted at an adjourned general meeting is that business left unfinished at the meeting from which the adjournment took place.

(3) When a general meeting is adjourned for less than 30 days, it is not necessary for EGBC to give notice of the adjourned general meeting, or of the business to be transacted at the adjourned general meeting.

(4) When a general meeting is adjourned for 30 days or more, notice of the adjourned general meeting must be given by EGBC in the same manner as notice of the original meeting.

4 Nominations and Election of Council

4.1 Nomination Committee Composition

(1) The Nomination Committee must be composed of between 5 and 7 members appointed by the Council.

(2) The members of the Nomination Committee appointed by the Council pursuant to subsection (1) must include

(a) the immediate past president of EGBC, who will serve as chair of the Nomination Committee,

(b) at least one Lay Committee Member, and

(c) the Branch Representatives Chair.

(3) If the immediate past president of EGBC cannot be appointed as or serve as chair of the Nomination Committee, the Council must appoint a Lay Councillor as the chair of the Nomination Committee.

(4) If the Branch Representatives Chair cannot be appointed to or serve on the Nomination Committee, the Council must appoint a delegate.

(5) No member of the Council may be appointed to or serve on the Nomination Committee, except

(a) the immediate past president of EGBC, or

(b) a Lay Councillor, if the immediate past president of EGBC is unable to serve as chair of the Nomination Committee.

4.2 Powers of the Nomination Committee

(1) The Nomination Committee has the functions and duties assigned to it in the PGA.

4.3 Criteria for Nomination of Candidates

(1) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council, must be a Registrant In Good Standing.

(2) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for the position of president of the Council must meet at least one of the following experience requirements prior to the date of taking office, if such a candidate is available for nomination:

(a) one year of experience as a councillor for EGBC;

(b) equivalent experience as determined by the Nomination Committee.

(3) A Registrant who is not In Good Standing must not be nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council.

4.4 List of Candidates

(1) The list of candidates nominated by the Nomination Committee must be

(a) signed by the chair of the Nomination Committee,

(b) accompanied by the written consent of all candidates,

(c) provided to the Executive Director, and

(d) published on a public website maintained by EGBC

at least 90 days prior to the annual general meeting.

4.5 Election Procedures

(1) The election of Registrant councillors, including the president of the Council, must be by paper ballot or electronic ballot, as determined by the Council.

(2) The Executive Director must prepare a ballot containing the names of all candidates nominated by the Nomination Committee.

(3) Voting must be closed at noon on the 15th day prior to the annual general meeting, and ballots received after that time must not be counted.

(4) Voting for more than one president of the Council or more than the number of Registrant councillors to be elected will render the applicable part of the ballot invalid.

(5) Voting for less than one president of the Council or less than the number of Registrant councillors to be elected will not invalidate the ballot.

(6) Ballots cast in an election must be tabulated at least 10 days prior to the annual general meeting.

(7) The candidate for the position of president of the Council who receives the most votes in the election is elected to that position.

(8) The candidates for positions as Registrant councillors who receive the most votes in the election are elected to those positions.

(9) If there are any vacancies in the Council to be filled because of an election, the candidate or candidates receiving the next highest number of votes must be elected for the unexpired term or terms to be filled.

(10) If there is a tie vote between 2 or more candidates, the Executive Director must hold a random draw to determine the successful candidate.

(11) The Executive Director must inform each candidate in the election of the results of the election as soon as practicable, and the results of the election must be announced at the annual general meeting.

(12) The successful candidates for positions as Registrant councillors, including the position of president of the Council, must take office at the close of the annual general meeting.

(13) The Executive Director must not authorize the destruction of any paper ballots or the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.

4.6 Term Lengths

(1) At each election of Registrant councillors held pursuant to the Bylaws,

(a) the president of the Council must be elected for a one-year term, pursuant to section 24(3)(a) of the PGA [*Term limits*] and

(b) one-third of the other Registrant councillors must be elected for a 3-year term, pursuant to section 24(1) of the PGA [*Term limits*].

(2) After each election held pursuant to the Bylaws, the vice president of the Council must be selected by the Council from among the Registrant councillors for a one-year term pursuant to section 24(3)(b) of the PGA [*Term limits*].

5 Credentials and Registrants

5.1 Powers of the Credentials Committee

(1) The Credentials Committee has the functions and duties assigned to it in the PGA and delegated to it by Council in subsections (2) and (3).

(2) The Council authorizes the Credentials Committee to exercise the Council's powers pursuant to the following sections of the PGA, other than the Council's bylaw-making authority:

(a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated pursuant to subsection (3)(b);

(b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as an individual Registrant.

(3) The Council authorizes the Credentials Committee to act pursuant to the following sections of the PGA:

(a) section 45 [*Application for enrolment, admission or reinstatement as registrant*] with respect to applications for registration as an individual Registrant;

(b) section 32(5)(b) [*Officers and committees*], to delegate the powers pursuant to section 45(1) of the PGA [*Application for enrolment, admission or reinstatement as registrant*] to one or more officers for the sole purpose of the officer(s) making a Non-Contentious Decision with respect to applications for registration as an individual Registrant.

5.2 Powers of the Audit and Practice Review Committee

(1) The Audit and Practice Review Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council in this section of the Bylaws with respect to applications for registration as a Registrant Firm.

(2) The Council authorizes the Audit and Practice Review Committee to exercise the Council's powers pursuant to the following sections of the PGA, other than the Council's bylaw-making authority:

(a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated to the Audit and Practice Review Committee pursuant to subsection (3)(b);

(b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as a Registrant Firm.

(3) The Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:

(a) section 45 [*Application for enrolment, admission or reinstatement as registrant*], with respect to applications for registration as a Registrant Firm;

(b) section 32(5)(b) [*Officers and committees*], to delegate to one or more officers the powers granted to the Audit and Practice Review Committee by the Council pursuant to this section of the Bylaws, with respect to applications for registration as a Registrant Firm.

5.3 Powers of the Registrar

(1) The Council authorizes the Registrar to exercise the Council's powers pursuant to sections 48(1), 48(2), 48(3), and 48(4) of the PGA [*Review on the record*] for the purpose of conducting reviews on the record pursuant to section 5.22 of the Bylaws [*Review on the Record*].

5.4 Categories of Registrants

(1) The following categories and subcategories of Registrants are set out in sections 5.5 to 5.16 of the Bylaws:

Category of Registrant	Subcategory of Registrant	Bylaw Section
Trainee		5.5
	Engineer-in-Training	5.5.1
	Geoscientist-in-Training	5.5.2
Professional Engineer		5.6
	Designated Structural Engineer	5.6.1
Professional Geoscientist		5.7
Professional Licensee Engineering		5.8
Professional Licensee Geoscience		5.9
Life Member Prior to 1998		5.10
Honorary Life Member		5.11
Registrant Firm		5.12
	Public Sector Firm	5.12.1
	Private Sector Firm	5.12.2
Non-Practising Individual Registrant		5.13
Non-Practising Registrant Firm		5.14
Life Member or Life Limited Licensee		5.15
Honorary Member		5.16

5.5 Trainees

(1) The category of Registrant called “Trainee” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) A Trainee must not serve as a Registrant councillor, or as a member of any Committee.

5.5.1 Engineer-in-Training

(1) The subcategory of Registrant called “engineer-in-training” is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated an engineer-in-training may hold themselves out to be an engineer-in-training and use the post-nominal “EIT”.

(3) An engineer-in-training may only use a title containing the word “engineer”, or any form or abbreviation of the word “engineer”, if the designation “engineer-in-training” or “EIT” is used in close proximity to the title and given the same or higher degree of prominence.

(4) An engineer-in-training must not represent themselves as a Professional Registrant.

(5) An engineer-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].

(6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as an engineer-in-training must provide the following to the Credentials Committee:

(a) a completed application for enrolment as an engineer-in-training;

(b) any applicable application, examination, interview, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has

(A) graduated in applied science, engineering, or geoscience from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or

(B) the equivalent of

(I) a university-level bachelor's degree in applied science or engineering, from an institution of learning not approved by the Credentials Committee, or in a program not approved by the Credentials Committee, but has passed

(1) examinations, assigned by the Credentials Committee from the syllabus published by the Credentials Committee, in the discipline of engineering of the Applicant's degree, that demonstrate that the Applicant's knowledge is equivalent to the knowledge of those who have graduated from an institute of learning approved by the Credentials Committee in a program in applied science or engineering approved by the Credentials Committee, or

(2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee, or

(II) 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science, engineering, or geoscience approved by the Credentials Committee, by passing the Credentials Committee assigned

(1) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or

(2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.5.2 Geoscientist-in-Training

(1) The subcategory of Registrant called “geoscientist-in-training” is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a geoscientist-in-training may hold themselves out to be a geoscientist-in-training and use the post-nominal “GIT”.

(3) A geoscientist-in-training may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “geoscientist-in-training” or “GIT” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A geoscientist-in-training must not represent themselves as a Professional Registrant.

(5) A geoscientist-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].

(6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as a geoscientist-in training must provide the following to the Credentials Committee:

(a) a completed application for enrolment as a geoscientist-in-training;

(b) any applicable application, examination, interview or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has

(A) graduated in applied science, geoscience, or science from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or

(B) the equivalent of 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science,

geoscience, or science approved by the Credentials Committee, by passing the Credentials Committee assigned

(I) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or

(II) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.6 Professional Engineer

(1) The category of Registrant called "professional engineer" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a professional engineer may hold themselves out to be a professional engineer and use the post-nominal "P.Eng.".

(3) A professional engineer may engage in the Reserved Practice.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional engineer must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional engineer;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant's identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant has completed the academic requirements pursuant to section 5.5.1(6)(c)(iii) of the Bylaws [*Engineer-in-Training*];

(v) that the Applicant has engineering experience that

(A) is sufficiently current to demonstrate competency with current practices,

(B) is supported by the Applicant's academic subjects of study, continuing education, or examinations assigned by the Credentials Committee,

(C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied engineering principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(D) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of engineering as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (c)(v)(D)(I),

(E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(F) demonstrates that the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics, and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:

(a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant

(i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;

(b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant

(i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority in another country that is, in the opinion of the Council, equivalent to EGBC, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.6.1 Designated Structural Engineer

(1) The subcategory of Registrant called “designated structural engineer” is established as a subcategory of professional engineer pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a professional engineer who is a Professional Registrant and who is designated a designated structural engineer may hold themselves out to be a designated structural engineer and use the post-nominal “Struct.Eng.”.

(3) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Credentials Committee may designate a professional engineer as a designated structural engineer when the Credentials Committee is satisfied that the professional engineer demonstrates the requisite qualifications to be designated as a designated structural engineer.

(4) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], to be designated as a designated structural engineer, a professional engineer must provide the following:

(a) a completed application for designation as a designated structural engineer;

(b) any applicable application, examination, or other applicable fees specified in section 6.1(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee that the professional engineer

(i) is of good character and good repute,

(ii) has at least 6 years of significant post-graduation structural engineering experience as specified by the Council, including 2 years in responsible charge of significant engineering work as specified by the Council, that includes seismic design of buildings or other Structures in significant seismic regions as specified by the Council,

(iii) has completed examination(s) in structural engineering knowledge, solutions, codes and practice, as specified by the Council, and

(iv) has demonstrated active practice and completion of continuing education, as specified by the Council.

(5) To maintain accreditation as a designated structural engineer, a designated structural engineer must

(a) actively practise structural engineering for at least 2,250 hours over each Three-Year Rolling Period and provide confirmation of such to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year,

(b) comply with all applicable continuing education requirements set out in section 7.6 of the Bylaws [*Continuing Education Program*], and

(c) comply with any additional requirements to maintain accreditation as a designated structural engineer, as determined by the Council.

5.7 Professional Geoscientist

(1) The category of Registrant called “professional geoscientist” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Only a Registrant who is designated a professional geoscientist may hold themselves out as a professional geoscientist and use the post-nominal “P.Geo.”.

(3) A professional geoscientist may engage in the Reserved Practice.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional geoscientist must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional geoscientist;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee of the following:

(i) of the Applicant's identity and legal name;

(ii) that the Applicant is of good character and good repute*;*

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant has completed the academic requirements pursuant to section 5.5.2 (6)(c)(iii) of the Bylaws [*Geoscientist-in-Training*];

(v) that the Applicant has geoscience experience that

(A) is sufficiently current to demonstrate competency with current practices,

(B) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied geoscience principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(D) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of geoscience as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (c)(v)(D)(I),

(E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(F) demonstrates that the Applicant has achieved the work experience competencies established by the Council in a minimum of 4 years, and

(G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(1) a course in law and ethics approved by the Council, and

(2) an examination in professional practice approved by the Council.

(5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:

(a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant

(i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;

(b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant

(i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority in another country that is, in the opinion of the Council, equivalent to EGBC, and

(ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.8 Professional Licensee Engineering

(1) The category of Registrant called “professional licensee engineering” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) On the coming into force of the PGA, individuals who held a limited licence to practise professional engineering pursuant to the EGA are continued as professional licensees engineering.

(3) Only a Registrant who is designated as a professional licensee engineering may hold themselves out to be a professional licensee engineering and use the post-nominal “P.L.Eng.”.

(3.1) A professional licensee engineering may only use a title containing the word “engineer”, or any form or abbreviation of the word “engineer”, if the designation “professional licensee engineering” or “P.L.Eng.” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A professional licensee engineering may only engage in the authorized area of the Reserved Practice that is specified on their licence.

(5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee engineering must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional licensee engineering;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) a proposed authorized area of practice;

(d) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute;

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant understands the role and obligations of a professional licensee engineering;

(v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other

requirements related to practice that may be specified by the Credentials Committee;

(vi) that the Applicant has a science degree in a discipline and from a university program approved by the Council, a degree or diploma in engineering technology from an institution approved by the Council in a program approved by the Council, or other academic qualifications acceptable to the Council;

(vii) that the Applicant has completed any examinations assigned by the Credentials Committee;

(viii) that the Applicant has a minimum of 8 years of experience in engineering that

(A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in subsection (d)(vi),

(B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,

(C) is sufficiently current to demonstrate competency with current practices,

(D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(E) is at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied engineering principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the Applicant's proposed authorized area of practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(F) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of engineering as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the

Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (d)(viii)(F)(I),

(G) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,

(H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant

(a) holds registration or licensure as the equivalent of a professional licensee engineering in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and

(b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.9 Professional Licensee Geoscience

(1) The category of Registrant called “professional licensee geoscience” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) On the coming into force of the PGA, individuals who held a limited licence to practise professional geoscience pursuant to the EGA are continued as professional licensees geoscience.

(3) Only a Registrant who is designated as a professional licensee geoscience may hold themselves out to be a professional licensee geoscience and use the post-nominal “P.L.Geo.”.

(3.1) A professional licensee geoscience may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “professional licensee geoscience” or “P.L.Geo.” is used in close proximity to the title and given the same or higher degree of prominence.

(4) A professional licensee geoscience may only engage in the authorized area of the Reserved Practice that is specified on their licence.

(5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee geoscience must provide the following to the Credentials Committee:

(a) a completed application for registration as a professional licensee geoscience;

(b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) a proposed authorized area of practice;

(d) evidence satisfactory to the Credentials Committee of the following:

(i) the Applicant’s identity and legal name;

(ii) that the Applicant is of good character and good repute*;*

(iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

(iv) that the Applicant understands the role and obligations of a professional licensee geoscience;

(v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other requirements related to practice that may be specified by the Credentials Committee;

(vi) that the Applicant has a science degree in a discipline and from a university program approved by the Council, a degree or diploma in geoscience technology from an institution approved by the Council in a program approved by the Council, or other academic qualifications acceptable to the Council;

(vii) that the Applicant has completed any examinations assigned by the Credentials Committee;

(viii) that the Applicant has a minimum of 8 years of experience in geoscience that

(A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in subsection (d)(vi),

(B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,

(C) is sufficiently current to demonstrate competency with current practices,

(D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,

(E) is at the level of complexity and responsibility that demonstrates that the Applicant

(I) has applied geoscience principles at an appropriate level,

(II) is ready to accept the full professional responsibility to engage in the proposed authorized area of practice, and

(III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,

(F) is validated by

(I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

(1) practise in the same discipline of geoscience as the Applicant or a related discipline, and

(2) have detailed knowledge of the work of the Applicant, or

(II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (d)(viii)(F)(I),

(G) is in conformance with general and discipline-specific experience guidelines published by the Credential Committee,

(H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the Council at the required level of competence established by the Council in a minimum of 4 years, and

(I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through

achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

(ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of

(A) a course in law and ethics approved by the Council, and

(B) an examination in professional practice approved by the Council.

(6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant

(a) holds registration or licensure as the equivalent of a professional licensee geoscience in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and

(b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.10 Life Member Prior to 1998

(1) The category of Registrant called “life member prior to 1998” is established only for life members whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “life member prior to 1998”.

(3) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*] without payment of the annual fee.

(4) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.11 Honorary Life Member

(1) The category of Registrant called “honorary life member” is established only for honorary life members whose status had vested pursuant to the prior EGBC bylaw 10(c.2) [*Honorary Life Membership or Licensure*] pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary life member”.

(3) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*], or professional geoscientist established pursuant to section 5.7 of the Bylaws [*Professional Geoscientist*], as applicable, without payment of the annual fee.

(4) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.12 Registrant Firm

(1) The category of Registrant called “Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.

(3) A Registrant Firm must not serve as a member of Council or any Committee.

(4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a Registrant Firm must provide the following to the Audit and Practice Review Committee:

(a) the names of

(i) the Applicant’s Responsible Officer,

(ii) the Applicant’s Responsible Registrant(s), and

(iii) all individual Registrants employed by or under contract with the Applicant;

(b) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC;

(c) a completed declaration by each of the Applicant’s Responsible Registrant(s), in the form set out in Schedule D;

(d) a completed declaration by the Applicant’s Responsible Officer, in the form set out in Schedule E;

(e) all names, both registered and unregistered, under which the Applicant does or has done business over the past 10 years within Canada;

(f) the Applicant's industry or industries of practice and area(s) of practice;

(g) if the Applicant is a corporation:

(i) the Applicant's incorporation number;

(ii) the date of the Applicant's incorporation;

(iii) a copy of the Applicant's certificate of incorporation, certificate of amalgamation, certificate of continuation, or equivalent, from the home jurisdiction of the Applicant;

(iv) any certificate of name change or certificate of restoration, if applicable;

(v) a copy of the Applicant's shareholder register, unless the Applicant is a publicly traded corporation, in which case the Applicant is exempt from this subsection;

(vi) a copy of the Applicant's register of directors and officers;

(h) if the Applicant is a partnership:

(i) the Applicant's registered business name, if applicable;

(ii) a copy of the register of partners;

(i) if the Applicant is a sole proprietorship:

(i) the Applicant's registered business name, if applicable;

(ii) the name of the owner of the sole proprietorship;

(j) a statement confirming whether EGBC or a Different Governing Body has ever cancelled, suspended, or restricted the ability to engage in the Regulated Practice of the Applicant or another person with a direct or indirect ownership interest in the Applicant as the result of a disciplinary process;

(k) the addresses of all of the Applicant's offices in British Columbia, or, if the Applicant does not have any offices in British Columbia, all of the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Applicant;

(l) any applicable application fees and annual fees specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) and(5) of the Bylaws [*Annual Fees*], and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(m) any additional information or documentation

(i) regarding indirect ownership of the Applicant, or

(ii) that may otherwise be requested by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(5) A Registrant Firm must designate at least one individual as a Responsible Registrant for each area of practice engaged in by the Registrant Firm.

(6) A Responsible Registrant may be designated for more than one area of practice at a Registrant Firm.

(7) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must be a Professional Registrant who is employed by or under contract with the Registrant Firm and who has the ability to engage in the Reserved Practice.

(8) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must submit a completed declaration to EGBC in the form set out at Schedule D.

(9) A Responsible Registrant must ensure that, within the areas of practice to which the Responsible Registrant is designated pursuant to subsection (5), the Registrant Firm meets all of the requirements set out in the Bylaws, including ethical, quality management, and continuing education requirements.

(10) If all Responsible Registrants designated for an area of practice at a Registrant Firm cease to meet any of the criteria set out in subsections (7) and (8), the Registrant Firm must immediately designate at least one new Responsible Registrant for that area of practice.

(11) If a Registrant Firm fails to comply with subsections (5) or (10), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (5) or (10).

(12) An individual may act as a Responsible Registrant for more than one Registrant Firm.

(13) A Registrant Firm must designate one individual as the Responsible Officer of the Registrant Firm, who may also be a Responsible Registrant.

(14) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must be an individual who is employed by or under contract with the Registrant Firm.

(15) If an individual designated as the Responsible Officer by a Registrant Firm pursuant to subsection (13) is also a Registrant, the individual must be a Registrant In Good Standing who is employed by or under contract with the Registrant Firm.

(16) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must submit a completed declaration to EGBC in the form set out at Schedule E.

(17) A Responsible Officer must be an Individual With Authority at the Registrant Firm.

(18) A Responsible Officer must ensure that the Registrant Firm meets its obligations pursuant to the PGA and the Bylaws.

(19) If the Responsible Officer of a Registrant Firm ceases to meet any of the criteria set out in subsections (14), (15), (16), or (17), the Registrant Firm must immediately designate a new Responsible Officer.

(20) If a Registrant Firm fails to comply with subsections (13) or (19), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (13) or (19).

(21) Any oral submissions made on behalf of a Registrant Firm pursuant to the Bylaws may be made by an Individual With Authority at the Registrant Firm.

5.12.1 Public Sector Firm

(1) The subcategory of Registrant called "Public Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may designate a Registrant Firm as a Public Sector Firm where the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that

(a) the Registrant Firm is a Government Registrant, or

(b) the Registrant Firm is a local public body as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act,* R.S.B.C. 1996, c. 165.

(3) If a decision is made pursuant to the PGA or the Bylaws to suspend or cancel the registration and Permit to Practice of a Public Sector Firm, or to put a condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice, then

(a) EGBC must notify the Superintendent of Professional Governance of the decision,

(b) any suspension, cancellation, or condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice must take effect no earlier than 10 days after the notice pursuant to subsection (a) has been provided, and

(c) publication of the decision must be delayed until the earlier of

(i) 10 days after the notice pursuant to subsection (a) has been provided, or

(ii) the date on which a decision of the Lieutenant Governor in Council with respect to exercising the power at section 83 of the PGA [*If registration of firm as registrant suspended or cancelled*] becomes known to the public.

(4) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Public Sector Firm to Private Sector Firm if the Registrant Firm no longer meets the criteria set out in subsection (2).

5.12.2 Private Sector Firm

(1) The subcategory of Registrant called "Private Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], any Registrant Firm that the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee has not designated as Public Sector Firm must be designated as a Private Sector Firm.

(3) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Private Sector Firm to Public Sector Firm if the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee determines that the Registrant Firm meets the criteria set out in section 5.12.1(2) of the Bylaws [*Public Sector Firm*].

5.13 Non-Practising Individual Registrant

(1) The category of Registrant called "non-practising individual Registrant" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Any Professional Registrant In Good Standing may apply to the Registrar to change their category of registration to non-practising.

(3) A non-practising individual Registrant must not engage in the Reserved Practice.

(4) A non-practising individual Registrant must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(5) A non-practising individual Registrant must only use the following professional designation(s), as applicable:

Engineers

(a) Professional Engineer (Non-Practising);

(b) P.Eng. (Non-Practising);

(c) Professional Engineer (Retired);

(d) P.Eng. (Retired);

Geoscientists

(e) Professional Geoscientist (Non-Practising);

(f) P.Geo. (Non-Practising);

(g) Professional Geoscientist (Retired);

(h) P.Geo. (Retired);

Licensees

(i) Professional Licensee Engineering (Non-Practising);

(j) P.L.Eng. (Non-Practising);

(k) Professional Licensee Engineering (Retired);

(l) P.L.Eng. (Retired);

(m) Professional Licensee Geoscience (Non-Practising);

(n) P.L.Geo. (Non-Practising);

(o) Professional Licensee Geoscience (Retired);

(p) P.L.Geo. (Retired).

(6) A non-practising individual Registrant who applies to reinstate status as a Professional Registrant must

(a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and

(b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.14 Non-Practising Registrant Firm

(1) The category of Registrant called "non-practising Registrant Firm" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) Any Registrant Firm In Good Standing may apply to the Audit and Practice Review Committee to change its category of registration to non-practising.

(3) A non-practising Registrant Firm must not engage in the Reserved Practice and must not authorize any individual Registrant to engage in the Reserved Practice on behalf of the non-practising Registrant Firm.

(4) A non-practising Registrant Firm must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(5) A non-practising Registrant Firm must not advertise or hold itself out as providing any services related to or requiring the application of the Reserved Practice.

(6) A non-practising Registrant Firm must

(a) clearly and visibly include the designation "non-practising" after the Registrant Firm's name or Permit to Practice Number wherever it is used in any way related to the Regulated Practice, and

(b) expressly advise of the Registrant Firm's non-practising status in any oral communications on behalf of the Registrant Firm that are in any way related to the Regulated Practice.

(7) A non-practising Registrant Firm must continue to meet all requirements set out in the PGA, regulations, and the Bylaws, except where expressly exempted from such requirements, and nothing in this section postpones or defers the deadlines or requirements set out in the PGA, regulations, and Bylaws.

(8) A non-practising Registrant Firm that applies for reinstatement of status as a Registrant Firm must demonstrate compliance with the requirements for reinstatement of status as a Registrant Firm set out in section 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*].

(9) If a non-practising Registrant Firm does not have its status as a Registrant Firm reinstated within 2 years of the date on which the Registrant Firm's status was changed to non-

practising, the non-practising Registrant Firm's registration and Permit to Practice must be cancelled.

5.15 Life Member or Life Limited Licensee

(1) The category of Registrant called "life member or life limited licensee" is established only for:

(a) life members or life limited licensees whose status had vested pursuant to the prior bylaw 10(c.1) [*Life Membership or Licensure*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(b) Registrants previously in the registration categories of "life member prior to 1998" or "honorary life member" who elect to change their registration category to life member or life limited licensee.

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called "life member or life limited licensee".

(3) A life member or life limited licensee retains voting privileges without payment of the annual fee but does not have the right to engage in the Reserved Practice.

(4) A life member or life limited licensee must not engage in the Reserved Practice.

(5) A life member or life limited licensee must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.

(6) A life member or life limited licensee must only use the following professional designation(s), as applicable:

Engineers

(a) Professional Engineer (Non-Practising);

(b) P.Eng. (Non-Practising);

(c) Professional Engineer (Retired);

(d) P.Eng. (Retired);

Geoscientists

(e) Professional Geoscientist (Non-Practising);

(f) P.Geo. (Non-Practising);

(g) Professional Geoscientist (Retired);

(h) P.Geo. (Retired);

Licensees

(i) Professional Licensee Engineering (Non-Practising);

(j) P.L.Eng. (Non-Practising);

(k) Professional Licensee Engineering (Retired);

(l) P.L.Eng. (Retired);

(m) Professional Licensee Geoscience (Non-Practising);

(n) P.L.Geo. (Non-Practising);

(o) Professional Licensee Geoscience (Retired);

(p) P.L.Geo. (Retired).

(7) A Registrant whose life status vested pursuant to the prior EGBC bylaw 10(c.1) [*Life Membership or Licensure*] who applies to reinstate status as a Professional Registrant must

(a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and

(b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.16 Honorary Member

(1) The category of Registrant called “honorary member” is established only for honorary members whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary member”.

(3) An honorary member whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*] retains honorary status with EGBC without the payment of fees.

(4) Honorary status is a ceremonial designation and does not on its own accord confer any rights or responsibilities under the PGA or the Bylaws.

(5) An honorary member's status continues at the pleasure of the Council and may be revoked at the Council's discretion without prior notice to the honorary member.

5.17 Registration and Exemptions from Registration as a Registrant Firm

(1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice and is owned by or employs at least one Professional Registrant must register as a Registrant Firm and obtain a Permit to Practice from EGBC.

(2) If the Audit and Practice Review Committee learns that a Firm is registered as a Registrant Firm, but does not, or at the time of registration did not, engage in the Regulated Practice or meet any one of the other requirements for registration pursuant to section 5.12 of the Bylaws [*Registrant Firm*], the Audit and Practice Review Committee must cause a condition to be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until the necessary requirements are met.

(3) A Firm may apply in writing to the Audit and Practice Review Committee for an exemption from the requirement to register as a Registrant Firm and obtain a Permit to Practice from EGBC if any of the following apply:

(a) EGBC has an agreement in place with another regulatory body that exempts the Firm from registration with EGBC;

(b) the Firm is solely conducting research or providing education.

(4) An application for an exemption submitted by a Firm pursuant to subsection (3) must include:

(a) a clear indication of how the Firm qualifies for an exemption;

(b) any evidence that supports the Firm's application for an exemption; and

(c) a declaration confirming that if the Firm no longer qualifies for the exemption, the Firm will submit an application for registration pursuant to the Bylaws.

5.18 Decisions Regarding Applications for Enrolment, Admission, and Reinstatement

(1) On receiving an application for enrolment, admission, or reinstatement of status in any of the categories of individual Registrants pursuant to sections 5.5 to 5.11 of the Bylaws,

(a) the Credentials Committee may

(i) grant the application,

(ii) grant the application subject to conditions or limitations on the registration, or

(iii) reject the application, with written reasons,

(b) the Registrar, after a credentials hearing on good character and good repute held pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], may

(i) grant the application,

(ii) grant the application subject to conditions or limitations on the registration, or

(iii) reject the application, with written reasons, or

(c) an officer appointed by the Credentials Committee, in the case of a Non-Contentious Decision, may grant the application.

(2) On receiving an application for admission or reinstatement of status as a Registrant Firm pursuant to sections 5.12 of the Bylaws [*Registrant Firm*] or 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may

(a) grant the application,

(b) grant the application subject to conditions or limitations on the registration, or

(c) reject the application, with written reasons.

5.19 Credentials Hearing on Good Character and Good Repute of an Individual Applicant

(1) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to section 5.18(1)(b) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*] if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.

(2) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.

(3) If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), the Registrar may anonymize or redact any identifying, personal or sensitive information of

(a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or

(b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

5.20 Rejection of Application on the Basis of an Indictable Offence

(1) If the Credentials Committee is satisfied that an individual Applicant has been convicted of an indictable offence, the Credentials Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].

(2) If the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that an Applicant for registration as a Registrant Firm has been convicted of an indictable offence, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].

(3) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Applicant has displayed

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(4) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must provide written notice to the Applicant that

(a) action may be undertaken pursuant to section 66(2)(a)(ii) of the PGA [*Investigations]*, and

(b) the Applicant may, by a specified date, make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable.

(5) The Credentials Committee may order a credentials hearing by the Registrar for an individual Applicant, in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) If an Applicant is an Applicant for registration as a Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may order that oral submissions be made in place of or in addition to the written submissions referred to in subsection (4)(b), which are to be made in accordance with the procedures set out in Schedule B of the Bylaws unless otherwise directed by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(7) Despite subsections (4), (5), and (6), if the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, considers it necessary to protect the public interest, the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, may proceed pursuant to subsections (1) or (2) without

(a) providing notice to the Applicant,

(b) providing the Applicant with an opportunity to make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, or

(c) in the case of an individual Applicant, providing the Applicant with the opportunity to have a credentials hearing by the Registrar.

(8) The Credentials Committee or the Audit and Practice Review Committee, as applicable, may approve policies and procedures for summarily rejecting the application of an Applicant pursuant to this section of the Bylaws.

(9) Any policies and procedures for summarily rejecting the application of an Applicant that are approved by the Credentials Committee or the Audit and Practice Review Committee pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.21 Reconsideration of a Decision of the Credentials Committee

(1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*], an individual Applicant may apply in writing to the Credentials Committee for a reconsideration.

(2) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must include all of the following:

(a) a clear indication of the decision of the Credentials Committee;

(b) the position of the Applicant suggesting the decision of the Credentials Committee was flawed;

(c) any evidence that was not previously before the Credentials Committee that the Applicant wants to be considered; and

(d) the relief sought by the Applicant.

(3) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must be accompanied by all applicable reconsideration fees as set out in section 6.3(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].

(4) After considering an application for a reconsideration, the Credentials Committee must, with written reasons,

(a) confirm the original decision of the Credentials Committee, or

(b) substitute the original decision of the Credentials Committee.

(5) The Credentials Committee may approve policies and procedures for the conduct of reconsiderations pursuant to this section of the Bylaws.

(6) Any policies and procedures for the conduct of reconsiderations that are approved by the Credentials Committee pursuant to subsection (5) must be published on a public website maintained by EGBC.

(7) No Applicant for registration as a Registrant Firm may apply for a reconsideration pursuant to this section of the Bylaws.

5.22 Review on the Record

(1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*] or section 5.21(4) of the Bylaws [*Reconsideration of a Decision of the Credentials Committee*], or a decision of the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee made pursuant to section 5.18(2) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*], an Applicant may apply in writing to the Registrar for a review on the record.

(2) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must set out all of the following:

(a) a clear indication of the decision(s) of the Credentials Committee, Audit and Practice Review Committee or officer appointed by the Audit and Practice Review Committee;

(b) the position of the Applicant suggesting the decision of the Credentials Committee, Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee was flawed; and

(c) the relief sought by the Applicant.

(3) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must be accompanied by all applicable review on the record fees as set out in section 6.3(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].

(4) A review on the record must be conducted in writing unless otherwise directed by the Registrar.

(5) The Registrar may only consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee if the Registrar determines that all of the following special circumstances exist which make it necessary to consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee:

(a) the evidence is such that the applicant, through the exercise of reasonable due diligence, could not have discovered and submitted it before the decision was made by the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee;

(b) the evidence is relevant in the sense that it bears upon a decisive or potentially decisive issue in the matter;

(c) the evidence is credible in the sense that it is reasonably capable of belief;

(d) the evidence is such that, if believed, it could reasonably, when taken with the other evidence that was before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee, be expected to have affected the decision of the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee.

(6) To request that the Registrar consider evidence that was not before the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee the Applicant must, in the application for a review on the record,

(a) specify what evidence the Applicant wants to be considered, and

(b) set out how the criteria set out in subsections (5)(a) to (d) are met.

(7) Following a review on the record, the Registrar must, with written reasons,

(a) confirm the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, or

(b) substitute the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, including any conditions or limitations on the registration of the Applicant.

(8) The Council may approve policies and procedures for the conduct of reviews on the record pursuant to this section of the Bylaws.

(9) Any policies and procedures for the conduct of reviews on the record approved by the Council pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.23 Reinstatement of Status as a Practising Professional Registrant

(1) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:

(a) an application for reinstatement of status as a practising Professional Registrant;

(b) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) evidence satisfactory to the Credentials Committee

(i) of Applicant's identity and legal name, if not previously submitted,

(ii) that the Applicant is of good character and good repute*,* including a declaration that the Applicant is of good character and repute, and

(iii) that the Applicant has provided the information required by section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] and section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*].

(2) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide proof that the Applicant has complied with all applicable continuing education program requirements for practising Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*] if

(a) the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for 6 months or less, or

(b) the Applicant is

(i) in good standing and has the right to practise with a Regulatory Authority, and

(ii) not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

(3) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has

lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 6 months to 18 months:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) proof that the Applicant has complied with all applicable continuing education program requirements for Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*].

(4) In addition to the requirements pursuant to subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee if the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 18 months to 3 years:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;

(d) professional references, in number satisfactory to the Credentials Committee and who are able to attest to the Applicant's good character, good repute, and practice competency;

(e) a current professional record of the Applicant's work experience;

(f) evidence of completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, or a seminar that is deemed equivalent by the Credentials Committee;

(g) at the discretion of the Credentials Committee, evidence of completion of continuing education on such terms as set by the Credentials Committee.

(5) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has

lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for more than 3 years:

(a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;

(b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;

(c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;

(d) professional references, in number satisfactory to the Credentials Committee and whose professional relationship with the Applicant covers the total number of years since the Applicant last had status as a practising Professional Registrant and who are able to attest to the Applicant's good character, good repute, and practice competency;

(e) a current professional record of the Applicant's work experience;

(f) completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, regardless of whether it or a seminar that is deemed equivalent by the Council has previously been completed by the Applicant;

(g) evidence of the successful completion of an examination in professional practice approved by the Council;

(h) at the discretion of the Credentials Committee, evidence of completion of

(i) assigned experience under the Direct Supervision of a Professional Registrant for a period of time and on such terms as set by the Credentials Committee, and provision of a reference from that Professional Registrant, and

(ii) continuing education on such terms as set by the Credentials Committee.

5.24 Reinstatement of Status as a Practising Registrant Firm

(1) A non-practising Registrant Firm applying for reinstatement of status as a practising Registrant Firm must provide the following to the Audit and Practice Review Committee:

(a) an application for reinstatement of status as a practising Registrant Firm;

(b) any applicable fees specified in section 6.2(3) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) the names of all individual Registrants employed by or under contract with the non-practising Registrant Firm;

(d) a completed declaration by each of the non-practising Registrant Firm's Responsible Registrant(s), as set out in Schedule D;

(e) a completed declaration by the non-practising Registrant Firm's Responsible Officer, as set out in Schedule E;

(f) if the non-practising Registrant Firm is a corporation:

(i) the non-practising Registrant Firm's incorporation number;

(ii) the date of the non-practising Registrant Firm's incorporation;

(iii) a copy of the non-practising Registrant Firm's certificate of incorporation, amalgamation, certificate of continuation, or equivalent from the home jurisdiction of the non-practising Registrant Firm;

(iv) any certificate of name change or certificate of restoration, if applicable;

(v) a copy of the non-practising Registrant Firm's shareholder register, unless the non-practising Registrant Firm is a publicly traded corporation, in which case it is exempt from this subsection; and

(vi) a copy of the non-practising Registrant Firm's register of directors and officers;

(g) if the non-practising Registrant Firm is a partnership:

(i) the non-practising Registrant Firm's registered business name, if applicable; and

(ii) a copy of the register of partners; and,

(h) if the non-practising Registrant Firm is a sole proprietorship:

(i) the non-practising Registrant Firm's registered business name, if applicable; and

(ii) the name of the owner of the sole proprietorship;

(i) written notice of any changes to the information set out in section 5.28(3) of the Bylaws [*Register of Registrant Firms*], and updated information as applicable, to be published on the Register.

(2) In granting a non-practising Registrant Firm's application for reinstatement of status as a practising Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may require

(a) the reinstated Registrant Firm to undergo a compliance audit pursuant to section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*], either

(i) immediately on being granted reinstatement of status as a practising Registrant Firm,

(ii) within 12 months of being granted reinstatement of status as a practising Registrant Firm,

(iii) at the time the reinstated Registrant Firm would have next undergone a compliance audit if it had not changed its category of registration to non-practising Registrant Firm, or

(iv) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee, and

(b) any Responsible Registrant(s) of the reinstated Registrant Firm to undertake the Regulation of Firms Training Program pursuant to section 7.7.1 of the Bylaws [*Regulation of Firms Training Program*], either

(i) within 12 months of being granted reinstatement of status as a practising Registrant Firm,

(ii) at the time the Responsible Registrant(s) of the reinstated Registrant Firm would have next been required to undertake the Regulation of Firms Training Program if the reinstated Registrant Firm had not changed its category of registration to non-practising Registrant Firm, or

(iii) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

(3) Upon being granted reinstatement of status as a practising Registrant Firm, a reinstated Registrant Firm must have an up-to-date Professional Practice Management Plan in place that meets the requirements set out in sections 7.7.3(1) and (2) of the Bylaws [*Professional Practice Management Plan*].

5.25 Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee

(1) An individual whose enrolment as a Trainee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a Trainee:

(a) an application for reinstatement;

(b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

(c) evidence satisfactory to the Credentials Committee

(i) of the Applicant's identity and legal name, if not previously submitted, and

(ii) that the Applicant is of good character and good repute.

(2) An Applicant whose registration as a non-practising Registrant or a life member or life limited licensee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a non-practising Registrant or a life member or life limited licensee, as applicable:

(a) an application for reinstatement;

(b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];

(c) evidence satisfactory to the Credentials Committee

(i) of the Applicant's identity and legal name, if not previously submitted, and

(ii) that Applicant is of good character and good repute.

5.26 Ceasing Status as a Registrant

(1) An individual Registrant seeking cancellation of the individual Registrant's enrolment or registration with EGBC must apply in writing to the Registrar for cancellation of enrolment or registration.

(2) A Registrant Firm seeking cancellation of the Registrant Firm's registration and Permit to Practice with EGBC must apply in writing to the Audit and Practice Review Committee for cancellation of the Registrant Firm's registration and Permit to Practice, which must be signed by the Responsible Officer of the Registrant Firm.

(3) A request made by a Registrant Firm pursuant to subsection (2) must state:

(a) the reason(s) that the Registrant Firm is seeking cancellation of the Registrant Firm's registration and Permit to Practice, and

(b) a list of all ongoing activities or work related to the Regulated Practice in which the Registrant Firm is involved.

5.27 Register of Individual Registrants

(1) The Registrar must maintain a Register of all current and former individual Registrants and Recent Historical Members.

(2) A former individual Registrant or Recent Historical Member must be listed on the Register for 10 calendar years after the calendar year in which the former individual Registrant or Recent Historical Member ceased to be registered with EGBC.

(3) Despite subsection (1), the Register must not include former Trainees.

(4) For a currently registered individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the individual Registrant's professional designation;

(b) if an individual Registrant is a professional licensee engineering or a professional licensee geoscience, the authorized area of practice identified on the individual Registrant's licence;

(c) the original discipline of the individual Registrant's registration;

(d) for all Registrants with the right to engage in the Reserved Practice, the individual Registrant's self-declared industry or industries of practice and area(s) of practice;

(e) the municipality, province or state, and country in which the individual Registrant is based;

(f) if applicable, the name of the individual Registrant's employer;

(g) for all Registrants with the right to engage in the Reserved Practice, as well as Trainees, business contact information for the individual Registrant, which may be provided by way of the individual Registrant's

(i) business email address,

(ii) business telephone number,

(iii) business mailing address, or

(iv) business website, if the business website contains any of the business contact information for the individual Registrant that is listed in subsections (g)(i) to (iii);

(h) the later of the date on which the individual Registrant was first granted

(i) enrolment as a Trainee, or

(ii) registration as a Registrant other than a Trainee;

(i) the start date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;

(j) the expiry date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;

(k) the date(s) of any:

(i) expiration(s) of the individual Registrant's registration;

(ii) cancellation(s) of the individual Registrant's registration; or,

(iii) suspension(s) of the individual Registrant's registration;

(l) any Disciplinary Order(s) respecting the individual Registrant.

(5) For a former individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the former individual Registrant's former professional designation(s);

(b) if the former individual Registrant was a professional licensee engineering or a professional licensee geoscience, the authorized area of practice that was previously identified on the former individual Registrant's licence;

(c) the original discipline of the former individual Registrant's registration;

(d) the municipality, province or state, and country in which the former individual Registrant was based;

(e) the date on which the former individual Registrant was first granted registration;

(f) the date(s) of any

(i) expiration(s) of the former individual Registrant's registration;

(ii) cancellation(s) of the former individual Registrant's registration; or,

(iii) suspension(s) of the former individual Registrant's registration;

(g) any Disciplinary Order(s) respecting the former individual Registrant.

(6) For a Recent Historical Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the Recent Historical Member's former professional designation(s);

(b) if the Recent Historical Member held a limited licence to practise professional engineering or geoscience pursuant to the EGA, the authorized area of practice identified on the Recent Historical Member's former licence;

(c) the original discipline of the Recent Historical Member's registration;

(d) the date on which the Recent Historical Member was first granted registration with EGBC;

(e) the date(s) of any:

(i) expiration(s) of the registration or membership of the Recent Historical Member;

(ii) cancellation(s) of the registration or membership of the Recent Historical Member; or,

(iii) suspension(s) of the registration or membership of the Recent Historical Member;

(f) any Disciplinary Order(s) respecting the Recent Historical Member.

(7) An individual Registrant may apply in writing to the Registrar to have the information listed in subsections (4)(e) to (g) omitted from the Register if the publication if such information would reasonably threaten the safety of the individual Registrant or another person.

(8) The information listed in subsections (4)(k), (4)(l), (5)(e), (5)(f), (6)(e), and (6)(f) must appear on the Register for as long as a Registrant is listed on the Register pursuant to subsections (1) and (2).

5.28 Register of Registrant Firms

(1) The Registrar must maintain a Register of all current and former Registrant Firms.

(2) A former Registrant Firm must be listed on the Register for 10 years after ceasing to be a Registrant Firm.

(3) For a currently registered Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the Registrant Firm's Permit to Practice Number;

(b) the Registrant Firm's self-declared industry or industries of practice and area(s) of practice;

(c) the municipality, province or state, and country in which the Registrant Firm's main office is located;

(d) the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Registrant Firm;

(e) the names of the Responsible Registrant(s) and the Responsible Officer of a Registrant Firm;

(f) the area(s) of practice to which each Responsible Registrant of the Registrant Firm is designated;

(g) the business contact information of the Responsible Registrant(s) and the Responsible Officer of the Registrant Firm, which may be provided by way of each Responsible Registrant's and the Responsible Officer's

(i) business email address,

(ii) business telephone number

(iii) business mailing address, or

(iv) business website, if the business website contains any of the business contact information listed in subsections (i) to (iii) for the Responsible Registrant(s) or Responsible Officer.

(h) the date on which the Registrant Firm was first granted registration as a Registrant Firm;

(i) the start date of the Registrant Firm's current registration as a Registrant Firm;

(j) the expiry date of the Registrant Firm's current registration as a Registrant Firm;

(k) the date(s) of any:

(i) expiration(s) of the Registrant Firm's registration and Permit to Practice;

(ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;

(iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;

(iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the Registrant Firm from engaging in the Regulated Practice;

(l) any Disciplinary Order(s) respecting the Registrant Firm.

(4) For a former Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:

(a) the former Registrant Firm's Permit to Practice Number;

(b) the municipality, province or state, and country in which the former Registrant Firm's main office was located;

(c) the names of the Responsible Registrant(s) and the Responsible Officer of the former Registrant Firm;

(d) the area(s) of practice to which each Responsible Registrant of the former Registrant Firm was designated;

(e) the date on which the former Registrant Firm was first granted registration as a Registrant Firm;

(f) the date(s) of any:

(i) expiration(s) of the Registrant Firm's registration and Permit to Practice;

(ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;

(iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;

(iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the former Registrant Firm from engaging in the Regulated Practice;

(g) any Disciplinary Order(s) respecting the former Registrant Firm.

(5) The information listed in subsections (3)(k), (3)(l), (4)(f), and (4)(g) must appear on the Register for as long as a Registrant Firm is listed on the Register pursuant to subsections (1) and (2).

5.29 Information Collected Annually and Published on the Register

(1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.27(4)(d), (e), (f), and (g) of the Bylaws [*Register of Individual Registrants*].

(2) An individual Registrant must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (1) within 30 days of the change taking effect.

(3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.28(3)(b), (c), (d), (e), (f), and (g) of the Bylaws [*Register of Registrant Firms*].

(4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (3) within 30 days of the change taking effect.

5.30 Information Collected Annually and not Published on the Register

(1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with

(a) the individual Registrant's personal and unique email address,

(b) a declaration confirming whether the Registrant has, within the previous 12-month period, been:

(i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,

(ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in

(A) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

(B) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or

(C) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or

(iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register.

(2) An individual Registrant must provide written notice to EGBC regarding any change to the individual Registrant's personal and unique email address within 30 days of the change taking effect.

(3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with

(a) the personal and unique email addresses of each Responsible Registrant and the Responsible Officer of the Registrant Firm,

(b) the names of all individual Registrants employed by or under contract with the Registrant Firm,

(c) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC, and

(d) A declaration confirming whether the Registrant Firm has, within the previous 12-month period, been:

(i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,

(ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or

(iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register except as required pursuant to section 5.28 of the Bylaws [*Register of Registrant Firms*].

(4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsections (3)(a) or (b) within 30 days of the change taking effect.

5.31 Failure to Provide Required Information

(1) An individual Registrant who fails to provide EGBC with any of the information required pursuant to section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year,

(a) provide EGBC with the required information, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

(2) A Registrant Firm who fails to provide EGBC with any information required pursuant to section 5.29(3) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(3) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on June 30 of the same year,

(a) provide EGBC with the required information, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

(3) If a Registrant fails to comply with the requirements set out in subsections (1) or (2), as applicable, the Registrant's registration must be suspended, and, if the Registrant is a Registrant Firm, a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.

(4) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31 of the same year,

(a) the Registrant's registration is cancelled, or

(b) if the Registrant is a Trainee, the Trainee's enrolment is cancelled.

(5) If a Registrant Firm fails to comply with the requirements set out in subsection (2) by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrant Firm's registration and Permit to Practice are cancelled.

5.32 Information Collected Immediately and not Published on the Register

(1) A Registrant who is convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction, must immediately on becoming aware of the conviction provide written notice to EGBC specifying the particulars of the conviction.

(2) A Registrant who becomes the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in

(a) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

(b) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or

(c) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

must immediately on becoming aware of the investigation, inquiry, review, or proceeding provide written notice to EGBC and provide particulars of the issue.

(3) A Registrant who becomes the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process, must immediately upon reaching the agreement or becoming aware of the disciplinary action, provide written notice to EGBC specifying the particulars of the agreement or disciplinary action.

(4) A Registrant Firm must provide written notice to EGBC within 15 days of the occurrence of any of the following situations:

(a) there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm;

(b) the Registrant Firm

(i) becomes the subject of an application for a bankruptcy order,

(ii) makes an assignment for the general benefit of creditors, or

(iii) makes or becomes the subject of a Division I or Division II proposal,

as set out in the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3.

5.33 Issuance of Certificate or Permit to Practice

(1) The Registrar must issue to an individual Registrant a certificate of registration and, on payment of the annual fee, confirmation that the Registrant is In Good Standing.

(2) The Registrar must issue to a Registrant Firm a Permit to Practice and, on payment of the annual fee, confirmation that the Registrant Firm is In Good Standing.

6 Fees

6.1 Application Fees

(1) An Applicant for enrolment, admission, or reinstatement of status as a Registrant pursuant to sections 5.5 to 5.16, 5.23, 5.24, or 5.25 of the Bylaws must send to EGBC the full amount of all applicable application, examination, interview, or course fees specified in Schedule C of the Bylaws.

(2) In addition to any fees applicable pursuant to subsection (1), a professional engineer who applies for designation as a designated structural engineer pursuant to section 5.6.1 of the Bylaws [*Designated Structural Engineer*] must send to EGBC the full amount of all applicable application and examination fees specified in Schedule C of the Bylaws.

6.2 Registration Fees

(1) Within 30 days of being granted registration as an individual Registrant other than a Trainee, an individual Registrant must send to EGBC the full amount of the applicable registration fee specified in Schedule C of the Bylaws.

(2) Within 30 days of being designated as a designated structural engineer, a designated structural engineer must send to EGBC the full amount of the applicable designation fee specified in Schedule C of the Bylaws.

6.3 Reconsideration and Review on the Record Fees

(1) An individual Applicant who applies for a reconsideration must send to EGBC the full amount of all applicable reconsideration fees specified in Schedule C of the Bylaws.

(2) An Applicant who applies for a review on the record must send to EGBC the full amount of all applicable review on the record fees specified in Schedule C of the Bylaws.

6.4 Annual Fees

(1) An individual Registrant must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.

(2) Subject to subsection (4), a Registrant Firm must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.

(3) A non-practising Registrant Firm that has held non-practising status for 2 years or less is exempt from paying the applicable annual fee.

(4) In addition to the annual fee set out in subsection (2), a Registrant Firm that was engaged in the Regulated Practice on or after July 1, 2021 but is not immediately registered pursuant to these Bylaws must pay the annual fee specified in Schedule C of the Bylaws

for each year or portion of a year, up to a maximum of 3 years, that the Registrant Firm would have been required to pay the annual fee to EGBC if the Registrant Firm had been granted registration on July 1, 2021.

(5) A Registrant that is granted enrolment, admission, or reinstatement of status at some time other than the beginning of the annual fee cycle must pay a prorated annual fee specified in Schedule C of the Bylaws within 30 days of being granted enrolment, admission, or reinstatement.

6.5 Special Assessments

(1) An individual Registrant must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.

(2) A Registrant Firm must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.

6.6 Additional Manual Seal(s) or Certificate(s)

(1) A Registrant who requires additional Manual Seal(s) or certificate(s) of registration from EGBC must send to EGBC the full amount of all applicable fees specified in Schedule C of the Bylaws at the time that the Registrant requests the additional Manual Seal(s) or certificate(s) of registration.

6.7 Exemption, Reduction, Deferral, or Refund of Fees

(1) On receiving a written application by an individual Applicant or Registrant, the Registrar may exempt, reduce, defer, or refund all or part of a fee or special assessment specified in Schedule C of the Bylaws if the Registrar is satisfied that the imposition of the fee or special assessment would cause undue financial hardship for the individual Applicant or Registrant, or if there are extenuating circumstances that warrant the exemption, reduction, deferral, or refund.

(2) On receiving a written application by a Registrant Firm, the Registrar may waive payment of all or part of a fee for the Registrant Firm specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) or (4) of the Bylaws [*Annual Fees*], section 6.5(2) of the Bylaws [*Special Assessments*], or Schedule C of the Bylaws [*Fees*], pursuant to section 50(1)(h) of the PGA [*Fees and special assessments*], if the Registrar is satisfied that

(a) the Registrant Firm was a member of EGBC's Organizational Quality Management Program as of June 30, 2021, and

(b) the Registrant Firm had paid all outstanding fees and any amounts owing pursuant to its membership in the Organizational Quality Management program as of June 30, 2021.

(3) A Registrant Firm is not eligible to apply for the reduction, deferral, or refund of fees or special assessments, except in accordance with subsection (2).

6.8 Failure to Pay Fees

(1) An individual Registrant who fails to pay the full amount of an applicable annual fee or special assessment pursuant to section 6.4(1) of the Bylaws [*Annual Fees*] or section 6.5(1) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and the applicable late fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on January 31 of the following year.

(2) Pursuant to section 31(4)(b) of the PGA [*Registrar and register for regulatory body*], if a Registrant fails to pay a required

(a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registrant Fees*],

(b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registrant Fees*],

(c) for an individual Registrant, a prorated annual fee pursuant to section 6.4(5) of the Bylaws [*Annual Fees*], or

(d) annual fee, special assessment, or late fee pursuant to section 6.8(1) of the Bylaws [*Failure to Pay Fees*],

the Registrar must cancel the Registrant's registration, or if the Registrant is a Trainee, the Trainee's enrolment, or if the Registrant is a Registrant Firm, the Registrant Firm's registration and Permit to Practice.

(3) A Registrant Firm or a non-practising Registrant Firm that fails to pay the full amount of an applicable annual fee or special assessment pursuant to sections 6.4(2) or(4) of the Bylaws [*Annual Fees*], or section 6.5(2) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and late fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on June 30 of the same year.

(4) If a Registrant Firm or non-practising Registrant Firm fails to comply with the requirements set out in subsection (3), the Registrar must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until all fees outstanding pursuant to subsection (3) have been paid.

(5) Pursuant to section 31(4)(b) of the PGA [*Registrar and register for regulatory body*], if a Registrant Firm or non-practising Registrant Firm that is subject to a condition prohibiting it from engaging in the Regulated Practice pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.

7 Standards of Conduct and Competence

7.1 Definitions

(1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable, pursuant to section 56(1) of the PGA [*Definition and Application*].

7.2 Code of Ethics

(1) A Registrant must adhere to the Code of Ethics as set out in Schedule A of the Bylaws.

7.3 Standards of Competence – Quality Management Requirements

(1) The standards of competence - quality management requirements set out in sections 7.3.1 to 7.3.8 of the Bylaws are established pursuant to section 57(1)(b) of the PGA [*Standards of Conduct and Competence*].

(2) A Registrant must comply with the standards of competence set out in sections 7.3.1 to 7.3.8 of the Bylaws at all times while engaged in the Regulated Practice.

(3) A non-practising Registrant Firm is exempt from the requirements set out in sections 7.3.1, 7.3.3, 7.3.4(4)(a), 7.3.4(4)(b), 7.3.4(4)(c), 7.3.5, 7.3.6, and 7.3.8 of the Bylaws while maintaining its non-practising status and not engaged in the Regulated Practice.

7.3.1 Standard for Use of Professional Practice Guidelines

(1) EGBC shall publish professional practice guidelines approved by the Council on a public website maintained by EGBC and shall update professional practice guidelines as necessary.

(2) A Professional Registrant must have regard for applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), by establishing, maintaining, and following documented procedures in order to do all of the following:

(a) stay informed of, knowledgeable about, and meet the intent of all applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), that are relevant to the Professional Registrant’s Regulated Practice;

(b) document in writing the reason(s) for a departure from any relevant portion of a professional practice guideline published pursuant to subsection (1).

(3) A Registrant Firm must do all of the following:

(a) establish, maintain, and follow documented policies and procedures in order to

(i) obtain information and details in a timely manner regarding professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm, and

(ii) inform the Professional Registrants employed by or under contract with the Registrant Firm in a timely and effective manner of professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm;

(b) take reasonable steps to facilitate all Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsection (2).

7.3.2 Standard for Retention and Preservation of Complete Project Documentation

(1) A Professional Registrant must establish, maintain, and follow documented procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Professional Registrant, including copies of physical or electronic versions of

(a) correspondence,

(b) investigations,

(c) surveys,

(d) reports,

(e) data,

(f) background information,

(g) assessments,

(h) designs,

(i) specifications,

(j) documentation related to reviews, including independent reviews and field reviews,

(k) testing information,

(l) models,

(m) simulations,

(n) quality assurance documentation,

(o) drawings,

(p) calculations, and

(q) copies of all Authenticated Documents.

(2) A Registrant Firm must establish, maintain, and follow documented policies and procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Registrant Firm, including copies of physical or electronic versions of

(a) correspondence,

(b) investigations,

(c) surveys,

(d) reports,

(e) data,

(f) background information,

(g) assessments,

(h) designs,

(i) specifications,

(j) documentation related to reviews, including independent reviews and field reviews,

(k) testing information,

(l) models,

(m) simulations,

(n) quality assurance documentation,

(o) drawings,

(p) calculations, and

(q) copies of all Authenticated Documents.

(3) Complete project documentation must be retained and preserved for at least 10 years after the later of the completion of the project or when the documentation is no longer used.

(4) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies, plans, and procedures

(i) in order to ensure that, if any of the situations set out in section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*] occur with respect to a Registrant Firm, complete project documentation is preserved in accordance with subsection (3) and such documentation is accessible in the event of a request pursuant to the PGA or Bylaws, and

(ii) for all individuals employed by or under contract with the Registrant Firm to follow in relation to the retention and preservation of complete project documentation and the obligations of Professional Registrants and Registrant Firms pursuant to this section of the Bylaws;

(b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) and (3).

(5) A Professional Registrant who is employed by or under contract with a Registrant Firm may satisfy their obligations pursuant to this section of the Bylaws with respect to any project documentation produced during the course of their employment or contract with the Registrant Firm by

(a) taking reasonable steps to confirm that

(i) the Registrant Firm has in place documented policies and procedures for the retention and preservation of all project documentation produced by the Professional Registrant during the course of or related to their employment or contract with the Registrant Firm, and

(ii) that the documented policies and procedures referred to in subsection (a)(i) are in accordance with the requirements set out in subsections (2), (3), and (4), and

(b) consistently adhering to the documented policies and procedures of the Registrant Firm with respect to retention and preservation of project documentation established pursuant to subsection (4)(a) during the course of the Professional Registrant's employment or contract with the Registrant Firm.

(6) A Professional Registrant who ceases to be employed by or under contract with a Registrant Firm may continue to satisfy their obligation to retain and preserve complete project documentation pursuant to subsection (3) by ensuring that

(a) an agreement is in place with the Registrant Firm regarding the retention and preservation of all project documentation produced by the Professional Registrant during the course of their employment or contract with the Registrant Firm, and

(b) the agreement referenced in subsection (a) requires either the Professional Registrant or the Registrant Firm, or both, to retain and preserve all project documentation in accordance with the requirements of this section of the Bylaws.

7.3.3 Standard for Field Reviews

(1) Field reviews must be completed during the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice by a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, in a manner that is appropriate to the level of risk that has been assessed through a documented risk assessment.

(2) If applicable pursuant to subsection (1), a Professional Registrant must establish, maintain, and follow documented procedures for documented field reviews of work related to the Regulated Practice in British Columbia.

(3) Through a field review, a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, must determine whether the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice substantially complies with the concepts or intent reflected in the Documents prepared for the work related to the Regulated Practice.

(4) If applicable pursuant to subsection (1), a Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to field reviews and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include:

(i) process flowcharts,

(ii) checklists, or

(iii) forms;

(b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3).

7.3.4 Standard for Checks

(1) A Professional Registrant must establish, maintain, and follow documented procedures for regular, documented checks of the Professional Registrant's work related to the Regulated Practice using a written quality control process appropriate to the level of risk that has been assessed through a documented risk assessment.

(2) The procedures established pursuant to subsection (1) must include:

(a) how risk will be assessed;

(b) the minimum frequency for checks to be conducted, dependent on the degree of risk assessed pursuant to (a);

(c) the required qualifications of the checker;

(d) how the check will be documented, including:

(i) who conducted the check;

(ii) the date that the check was completed;

(iii) what was checked; and

(iv) issues identified by the checker, if any;

(v) correction(s) and corrective action(s), if any, in response to issues identified by the checker.

(e) what must be checked, including but not limited to:

(i) input requirements;

(ii) input data;

(iii) calculations;

(iv) drawings;

(v) assessments;

(vi) designs;

(vii) software outputs;

(viii) communications that include directives, recommendations, or opinions related to the Regulated Practice;

(ix) reports;

(x) recommendations; and,

(xi) other activities or work related to the Regulated Practice, including activities or work related to manufacturing, high technology, computer software development, operations, and maintenance activities.

(3) A Professional Registrant must ensure that a documented check has been conducted in accordance with the procedures established pursuant to subsection (1) on all activities or work related to the Regulated Practice that will be issued or delivered to any other party.

(4) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to documented checks and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) process flowcharts,

(ii) checklists, or

(iii) forms;

(b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures established pursuant to subsection (a);

(c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);

(d) retain complete documentation related to checks conducted by any Professional Registrant employed by or under contract with the Registrant Firm, in accordance with section 7.3.2 of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.5 Standard for Independent Review(s) of Structural Designs

(1) All Structural Designs require documented independent review(s) prior to Documents being issued for construction or implementation.

(2) Despite subsection (1), EGBC may identify classes of Structures that do not require documented independent review(s) of Structural Designs.

(3) A Professional of Record must do all of the following:

(a) complete a documented risk assessment after conceptual design and before detailed design of a Structural Design to determine the following:

(i) the appropriate frequency for the required documented independent review(s) of the Structural Design;

(ii) whether the required documented independent review(s) of the Structural Design must be conducted by

(A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by the same Firm employing the Professional of Record, or

(B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record;

(b) record their rationale for the determinations made pursuant to subsections (a)(i) and (ii);

(c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);

(d) communicate the actions and rationale documented pursuant to subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;

(e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;

(f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;

(g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(4) Despite subsection (3)(b), EGBC may identify classes of Structures for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record.

(5) Documented independent review(s) of Structural Designs must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standards for Checks*].

(6) If applicable pursuant to subsection (1) and not exempted pursuant to subsection (2), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of Structural Designs.

(7) A Professional Registrant tasked with completing a documented independent review of a Structural Design must

(a) have appropriate experience in the type and scale of the Structural Design subject to the documented independent review,

(b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,

(c) evaluate any related Documents to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements,

(d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner,

(e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC, and

(i) provide this documented record to

(A) the Professional of Record, and

(B) the authority having jurisdiction, if requested, and

(ii) retain and preserve this documented record for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for the Retention and Preservation of Complete Project Documentation*],

(f) examine representative samples of the structural assumptions, continuity of gravity and lateral load paths, stability, and detailing, and

(g) perform numerical calculations on a sample of gravity and lateral force resisting elements necessary to satisfy any concerns of the Professional Registrant tasked with completing the documented independent review, as appropriate.

(8) While a documented risk assessment and a documented independent review of each instance of repetitive designs of individual structural components is not required,

(a) the maintenance of design quality must be confirmed through

(i) an initial documented initial risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals,

(b) a documented process must be in place that identifies the criteria used to determine what types of designs are considered repetitive and the interval frequency for maintaining the design quality, and

(c) the documented record produced through

(i) the initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals

must be retained and preserved for a minimum of 10 years after the last use of the repetitive design and made available to any person using the Structural Design, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(9) If applicable pursuant to subsection (1), and not exempted pursuant to subsection (2), a Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of structural designs and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) checklists, or

(ii) signoff forms;

(b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the documented independent review;

(c) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(d) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);

(e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to

(i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,

(ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and

(iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.6 Standard for Independent Review(s) of High-Risk Professional Activities or Work

(1) A professional activity or work that has been identified by a Professional of Record as high-risk through a documented risk assessment requires documented independent review(s) before the professional activity or work is submitted to those who will be relying on it.

(2) Despite subsection (1), EGBC may establish criteria for professional activities or work, or identify specific professional activities or work, that

(a) do not require documented independent review(s), or

(b) require documented independent review(s), even if the professional activities or work are not identified by a Professional of Record as high-risk through a documented risk assessment.

(3) A Professional of Record must do all of the following:

(a) complete a documented risk assessment prior to the initiation of a professional activity or work to determine the following:

(i) whether a professional activity or work is high-risk;

(ii) if documented independent review(s) of the professional activity or work is required, the appropriate frequency for the required documented independent review(s);

(iii) if documented independent review(s) of the professional activity or work is required, whether the required documented independent review(s) must be conducted by

(A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by the same Firm employing the Professional of Record, or

(B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record;

(b) record their rationale for the determinations made pursuant to subsections (a)(i), (ii), and (iii);

(c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);

(d) communicate the actions and rationale documented pursuant to subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;

(e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;

(f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;

(g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(4) Despite subsection (3)(a)(iii), EGBC may identify specific professional activities or work for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record.

(5) Documented independent review(s) of a professional activity or work must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standard for Checks*].

(6) If applicable pursuant to subsection (1) or (2)(b) and not exempted pursuant to subsection (2)(a), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of a professional activity or work.

(7) A Professional Registrant tasked with completing a documented independent review of a professional activity or work must

(a) have appropriate experience in the type and scale of the professional activity or work subject to the documented independent review,

(b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,

(c) evaluate any Documents related to the professional activity or work to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements, and

(d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner

(e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC and

(i) provide this documented record to

(A) the Professional of Record, and

(B) the authority having jurisdiction, if requested, and

(ii) retain and preserve this documented record for a period of 10 years, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(8) While a documented risk assessment and a documented independent review of each instance of repetitive professional activities or work is not required,

(a) the maintenance of activity or work quality must be confirmed through

(i) an initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals,

(b) a documented process must be in place that identifies the criteria used to determine what types of professional activities or work are considered repetitive and the interval frequency for maintaining the activity or work quality, and

(c) the documented record produced through

(i) the initial documented risk assessment and documented independent review, and

(ii) documented risk assessments and documented independent reviews at intervals

must be retained and preserved for a minimum of 10 years after the last use of the repetitive professional activity or work and made available to any person undertaking the professional activity or work, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(9) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of high-risk professional activities or work and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include

(i) checklists, or

(ii) signoff forms;

(b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the review;

(c) ensure that Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(d) take reasonable steps to facilitate Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);

(e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to

(i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,

(ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and

(iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.7 Standard for Issuance of Manual Seal, Authenticating Documents, and Use of Permit to Practice Number

(1) EGBC may provide a Professional Registrant In Good Standing with a Manual Seal bearing the following information:

(a) the Professional Registrant's first initial(s), middle initial(s), and last name(s);

(b) the words "professional engineer", "professional geoscientist", "professional licensee engineering", or "professional licensee geoscience", as applicable.

(2) EGBC retains ownership of a Manual Seal issued by EGBC.

(3) A Professional Registrant must establish, maintain, and follow documented procedures related to a Professional Registrant's Manual Seal, a Professional Registrant's Digital Seal, and Authenticating Documents, in accordance with the requirements set out in this section of the Bylaws.

(4) Only a Professional Registrant may Authenticate a Document.

(5) A Professional Registrant must Authenticate

(a) a Document that

(i) the Professional Registrant has prepared in their professional capacity or has been prepared under their Direct Supervision,

(ii) contains content related to the Regulated Practice, and

(iii) will be relied on by others, or

(b) a Document that is otherwise required to be Authenticated by applicable legislation, associated regulations, the Bylaws, or standards approved by the Council.

(6) Despite subsection (5), a Professional Registrant who is a professional licensee engineering or a professional licensee geoscience must not Authenticate Documents outside the authorized area of practice identified on their licence.

(7) If a deliverable is provided in a format that cannot be reasonably read by an individual, a Professional Registrant must adhere to an authentication process that has been prescribed by standards or guidelines approved by the Council.

(8) A Professional Registrant must not charge a fee for only Authenticating a Document.

(9) With respect to Manually Authenticating, a Professional Registrant must not allow another person to apply any of the following:

(a) the Professional Registrant's Manual Seal, or a likeness or digital image of the Professional Registrant's Manual Seal, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization;

(b) the Professional Registrant's handwritten signature, or a likeness of the Professional Registrant's handwritten signature, under any circumstances;

(c) the date of Authentication, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization.

(10) With respect to Digitally Authenticating, a Professional Registrant must not allow another person to do any of the following:

(a) apply the Professional Registrant's Digital Certificate under any circumstances;

(b) gain access to the Professional Registrant's Digital Certificate or to any password, PIN, or other factor used to secure access to or control over the Professional Registrant's Digital Certificate, under any circumstances.

(11) In the event of suspension or cancellation of a Professional Registrant's registration,

(a) the Professional Registrant must return their Manual Seal to EGBC upon request,

(b) EGBC will disable any Digital Certificate issued to the Professional Registrant for the period of the suspension or cancellation, and

(c) the Professional Registrant must not Authenticate any Document for the period of the suspension or cancellation.

(12) A Registrant must ensure that any Manual Seal and any Digital Certificate issued to them remains secure and under their sole control at all times.

(13) A Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for all individuals employed by or under contract with the Registrant Firm to follow in relation to the use of a Manual Seal, the use of a Digital Seal, the Authentication of Documents, and the obligations of Professional Registrants pursuant to subsections (1) to (12);

(b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(c) take reasonable steps to facilitate the individual Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of individual Registrants pursuant to subsections (1) to (12).

(14) If a Professional Registrant employed by or under contract with a Registrant Firm Authenticates a Document on behalf of the Registrant Firm, the Registrant Firm's Permit to Practice Number must be applied visibly to the Document.

(15) Only the following individuals may apply a Registrant Firm's Permit to Practice Number to a Document:

(a) a Responsible Registrant of the Registrant Firm;

(b) an individual employed by or under contract with the Registrant Firm who is authorized to apply the Registrant Firm's Permit to Practice Number in accordance with the Registrant Firm's Professional Practice Management Plan.

(16) A Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15).

(17) If a Registrant Firm has reasonable and probable grounds to believe that any person has applied the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15), the Registrant Firm must report the person to EGBC and provide EGBC with any information requested by EGBC regarding the circumstances of the application of the Permit to Practice Number.

(18) In the event that a Registrant Firm's registration and Permit to Practice are cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice,

(a) the Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document,

(b) the Registrant Firm must not allow or cause the Registrant Firm's Permit to Practice Number to appear on any communication, website, document, or in any other manner that could suggest that the Registrant Firm's registration and Permit to Practice Number are not cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice and

(c) a Professional Registrant must not

(i) apply the Registrant Firm's Permit to Practice Number to a Document, or

(ii) authorize another Professional Registrant to apply the Registrant Firm's Permit to Practice Number to a Document.

7.3.8 Standard for Delegation and Direct Supervision

(1) A Professional Registrant who will Delegate work or decisions related to the Regulated Practice to a Subordinate must establish, maintain, and follow documented procedures for

Delegation and Direct Supervision in accordance with the requirements set out in this section of the Bylaws.

(2) A Professional Registrant must ensure that work or decisions related to the Regulated Practice that are Delegated to a Subordinate are carried out under the Direct Supervision of the Professional Registrant.

(3) A professional licensee engineering or professional licensee geoscience may only provide Direct Supervision of work or decisions related to the Regulated Practice that are within the authorized area of practice on their licence.

(4) If any Professional Registrants employed by or under contract with a Registrant Firm will Delegate work or decisions related to the Regulated Practice to a Subordinate, or if the Registrant Firm employs any individuals who will act as a Subordinate, the Registrant Firm must do all of the following:

(a) establish and maintain documented policies and procedures for Professional Registrants and Subordinates employed by or under contract with the Registrant Firm to follow in relation to Delegation, Direct Supervision, and the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);

(b) ensure that the Professional Registrants and Subordinates employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

(c) take reasonable steps to facilitate Professional Registrants and Subordinates employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants and Subordinates pursuant to subsections (1), (2), and (3).

7.4 Practice Advice Program

(1) The Practice Advice Program consists of the following components:

(a) Practice Advisors will receive and respond to professional or ethical inquiries of Registrants through email, telephone, or in person, with responses being

(i) provided either immediately or after consultation with appropriate parties, and

(ii) to the best of their knowledge, in compliance with current legislative requirements, regulatory requirements, and standards and guidelines issued by EGBC;

(b) documentation dealing with professional or ethical issues must be made available to Registrants on a public website maintained by EGBC, including professional practice guidelines, ethical guidelines, practice advisories, frequently asked questions, or magazine publications, on a basis determined by EGBC;

(c) training sessions dealing with professional or ethical issues must be made available to Registrants through webinars or in person workshops, on a basis determined by EGBC.

(2) The Practice Advice Program excludes the following subjects:

(a) legal advice, including legal advice on commercial law, employment law, or criminal law issues;

(b) endorsement or checking of activities or work related to the Regulated Practice;

(c) employment terms or conditions;

(d) mediation or resolution of disputes between Registrants and others, including clients, owners, and employers.

(3) Any information exchanged in a professional or ethical inquiry received pursuant to subsection (1)(a) may be retained by EGBC.

7.5 Professional Liability Insurance and Secondary Professional Liability Insurance

(1) Before entering into an agreement to provide services related to the Regulated Practice to the public, a Professional Registrant or a Registrant Firm must provide written notice to a client regarding whether

(a) the Professional Registrant or the Registrant Firm holds professional liability insurance, and

(b) if the Professional Registrant or the Registrant Firm does hold professional liability insurance, whether the professional liability insurance is applicable to the services related to the Regulated Practice that are in question.

(2) The written notice provided by a Professional Registrant or a Registrant Firm pursuant to subsection (1) must include a provision for an acknowledgement of the written notice to be signed by the client.

(3) There is established a category of professional liability insurance, separate from the professional liability insurance mentioned in subsection (1), referred to as secondary professional liability insurance, that all Registrants, except Registrant Firms, must carry and maintain.

(4) The Council may

(a) establish the terms, conditions, policies and procedures applicable to the secondary professional liability insurance program,

(b) require that the secondary professional liability insurance program, subject to the terms and conditions of the policy, provide coverage to Registrants who would otherwise have no professional liability insurance coverage for claims against them, and

(c) establish the fees to be paid by Registrants, for the secondary professional liability insurance program.

7.6 Continuing Education Program

7.6.1 Commencement of the Continuing Education Program

(1) The first Reporting Year and Three-Year Rolling Period commence on July 1, 2021.

7.6.2 Categories of Registrants Exempt from the Continuing Education Program

(1) The following categories of individual Registrants are not required to complete any of the continuing education program requirements set out in this section of the Bylaws:

(a) Trainees;

(b) life members or life limited licensees.

7.6.3 Mandatory Continuing Education Hours and Activities for Professional Registrants

(1) In each Three-Year Rolling Period, a Professional Registrant must complete at least 60 Continuing Education Hours.

(2) In each Reporting Year, a Professional Registrant must complete at least one Continuing Education Hour of Ethical Learning.

(3) In each Reporting Year, a Professional Registrant must complete at least one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].

(4) The mandatory Continuing Education Hours required pursuant to subsection (1) may include Continuing Education Hours related to Technical Learning or Communications and Leadership Learning.

(5) In order for the Continuing Education Hours required pursuant to subsection (1) to be considered complete, an individual Registrant must record in EGBC's electronic system the following information about the Continuing Education Activities associated with the Continuing Education Hours:

(a) the date(s) of each Continuing Education Activity;

(b) the provider or source of each Continuing Education Activity;

(c) the number of Continuing Education Hours earned from each Continuing Education Activity; and

(d) whether each Continuing Education Activity involved Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

7.6.4 Mandatory Continuing Education Plan for Professional Registrants

(1) In each Reporting Year, a Professional Registrant must complete a continuing education plan which sets out all of the following information:

(a) the Professional Registrant's area(s) of practice, including any anticipated changes;

(b) a declaration that the Registrant has assessed the risks of the Registrant's Regulated Practice to the public and the environment;

(c) a description as to how the Professional Registrant has assessed the risks identified in subsection (b);

(d) the Professional Registrant's learning goals and priorities; and

(e) the Continuing Education Activities that the Professional Registrant plans to undertake in order to advance the learning goals and priorities identified in subsection (d).

(2) A Professional Registrant must electronically submit the continuing education plan required pursuant to subsection (1) to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year.

7.6.5 Mandatory Continuing Education Hours and Activities for Designated Structural Engineers

(1) In addition to the continuing education program requirements for Professional Registrants set out in section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] and section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], a Professional Registrant who is a designated structural engineer must complete 60 Continuing Education Hours of Technical Learning related to their structural engineering area(s) of practice in each Three-Year Rolling Period.

7.6.6 Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants

(1) In each Three-Year Rolling Period, a non-practising individual Registrant must complete, at a minimum,

(a) one Continuing Education Hour of Ethical Learning, and

(b) one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].

7.6.7 Continuing Education Program Declaration

(1) All individual Registrants who are not exempted from the Continuing Education Program pursuant to section 7.6.2(1) of the Bylaws [*Categories of Registrants Exempt from the Continuing Education Program*] must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm

(a) the number of completed Continuing Education Hours the individual Registrant is reporting for that Reporting Year,

(b) that the individual Registrant has recorded the details of the Continuing Education Activities associated with the declared Continuing Education Hours pursuant to section 7.6.3(5) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*],

(c) that the individual Registrant has uploaded a valid and up-to-date CE Plan pursuant to section 7.6.4(2) of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], and

(d) that the information provided by the individual Registrant pursuant to this section is true and correct to the best of the individual Registrant's knowledge.

(2) All individual Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 5 years after the continuing education program declaration was made.

7.6.8 Applications for Exemptions from the Continuing Education Program

(1) An individual Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, or 7.6.7 of the Bylaws [*Continuing Education Program*]for a specified Reporting Year by

(a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant was on parental leave, medical leave, or compassionate care leave for at least 6 months during the Reporting Year, or

(b) the Audit and Practice Review Committee, if the individual Registrant

(i) was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or

(ii) has other extenuating circumstances.

(2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on April 30 of the applicable Reporting Year.

(3) If an exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.

7.6.9 Failure to Submit a Continuing Education Program Declaration

(1) An individual Registrant who fails to submit a continuing education program declaration pursuant to section 7.6.7(1) of the Bylaws [*Continuing Education Program Declaration*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year, but has otherwise completed all applicable requirements of the continuing education program, must

(a) submit the continuing education program declaration, and

(b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete.

(3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.

7.6.10 Late Exemption from Continuing Education Plan, Hours, or Activities

(1) An individual Registrant who fails to comply with the obligations pursuant to sections 7.6.3, 7.6.4, 7.6.5, or 7.6.6 Bylaws, as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year may be granted a late exemption from any or all of these requirement(s) on an annual basis by the Audit and Practice Review Committee, if the individual Registrant

(a) was on parental leave, medical leave, or compassionate care leave during the Reporting Year, or

(b) has other extenuating circumstances.

(2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on July 31 in the following Reporting Year.

(3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.

(4) An individual Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.

(5) The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if an individual Registrant

(a) failed to apply for an exemption by the deadline specified in section 7.6.8(2) of the Bylaws [*Applications for Exemptions from the Continuing Education Program*] due to extenuating circumstances,

(b) submitted an application to be granted an exemption in writing to EGBC by 11:59 PM (Pacific Time) on the last day of the Reporting Year, and

(c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).

7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities

(1) An individual Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] , section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*] or section 7.6.6 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

(a) complete and submit a continuing education plan,

(b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,

(c) submit a continuing education program declaration,

(d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and

(e) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.

(3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.

(4) A designated structural engineer who fails to complete required Technical Learning activities pursuant to section 7.6.5(1) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10(1) of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

(a) complete the required Technical Learning activities,

(b) submit a continuing education program declaration,

(c) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and

(d) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

(5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), the designated structural engineer's designation as a designated structural engineer must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.

(6) If a designated structural engineer fails to comply with the requirements set out in subsection (4) by 11:59 PM (Pacific Time) on December 31, the designated structural engineer's designation as a designated structural engineer is cancelled.

(7) If an individual Registrant is required to complete a continuing education plan, Continuing Education Hours, Ethical Learning activities, Regulatory Learning activities, or Technical Learning activities to fulfill a requirement for the previous Reporting Year, these cannot be applied to fulfill a requirement for the Reporting Year in which they are completed.

7.6.12 Avoiding or Delaying a Suspension

(1) If an individual Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(1) or (4) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that

(a) the individual Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*], or

(b) the individual Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] be delayed for a specified period of time.

(2) At least 60 days before a suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2)or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] can take effect, the Audit and Practice Review Committee must deliver to the individual Registrant written notice of

(a) the date on which the suspension will take effect,

(b) the reasons for the suspension, and

(c) the deadline by which the individual Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1).

7.6.13 Newly Registered Individual Registrants

(1) For an individual Registrant who is first granted registration with EGBC between July 1 and December 31 in a Reporting Year, the first Reporting Year and the first Three-Year Rolling Period are deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC.

(2) For an individual Registrant who is first granted registration with EGBC between January 1 and April 30 in a Reporting Year,

(a) the first Reporting Year is deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC, and

(b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.

(3) For an individual Registrant who is first granted registration with EGBC between May 1 and June 30 in a Reporting Year,

(a) the first Reporting Year is deemed to begin on July 1 of the next Reporting Year, and

(b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.

(4) [Repealed 2022-04-22]

7.6.14 Mandatory Regulatory Learning Modules

(1) EGBC will facilitate the development, maintenance, and updating of a series of mandatory Regulatory Learning modules to enable

(a) a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [*Mandatory Continuing Education Hours, and Activities for Professional Registrants*], and

(b) a non-practising Registrant or a life member or life limited licensee to meet the requirement set out in section 7.6.6(1)(b) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*].

(2) The series of mandatory Regulatory Learning modules referred to in subsection (1) must be designed to ensure that there is at least one Regulatory Learning module in each Three-Year Rolling Period that focuses on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.15 Optional Continuing Education Opportunities

(1) EGBC will facilitate the offering of other continuing education opportunities related to Ethical Learning, Regulatory Learning, Communications and Leadership Learning, and Technical Learning.

(2) The continuing education opportunities offered pursuant to subsection (1) will include education opportunities related to knowledge and guidance on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.16 Continuing Education Program by Registrant Firms

(1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in

(a) meeting the individual Registrants' continuing education program requirements pursuant to sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, and 7.6.7 of the Bylaws, as applicable, and

(b) maintaining the individual Registrants' competency with respect to the role(s) of the individual Registrants and the activities or work engaged in by the individual Registrants on behalf of the Registrant Firm.

(2) Each year, a Registrant Firm that has more than one Professional Registrant employed or under contract with the Registrant Firm must conduct a documented review with each Professional Registrant employed by or under contract with the Registrant Firm, in order to confirm that the Professional Registrant is maintaining the Professional Registrant's competency with respect to the Regulated Practice.

(3) A Registrant Firm must retain all documentation that supports a documented review of a Professional Registrant conducted pursuant to subsection (2) for a minimum of 5 years after the documented review was completed.

(4) A non-practising Registrant Firm is exempt from the requirements in this section of the Bylaws while maintaining its non-practising status.

7.7 Permit to Practice Requirements

7.7.1 Regulation of Firms Training Program

(1) Each Responsible Registrant designated by a Registrant Firm upon the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within

(a) 12 months of the date that the Permit to Practice is issued to the Registrant Firm, and

(b) every 5 years thereafter.

(2) Each Responsible Registrant designated by a Registrant Firm after the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within

(a) 3 months of the date that the Responsible Registrant's declaration is submitted to EGBC, and

(b) every 5 years thereafter.

(3) An individual who is a Responsible Registrant for more than one Registrant Firm may complete the Regulation of Firms Training Program for more than one Registrant Firm at the same time.

(4) A non-practising Registrant Firm and any individuals designated as a Responsible Registrant of the non-practising Registrant Firm are exempt from the requirements set out in this section of the Bylaws while the non-practising Registrant Firm maintains its non-practising status.

7.7.2 Failure to Complete Regulation of Firms Training Program

(1) If any Responsible Registrant of a Registrant Firm fails to complete the Regulation of Firms Training Program pursuant to sections 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*],

(a) the Responsible Registrant identified in subsection (1) must complete the Regulation of Firms Training Program, and

(b) the Registrant Firm must send to EGBC the late completion fee specified in Schedule C of the Bylaws

by 11:59 PM (Pacific Time) on the date that is 2 months after the deadline specified in section 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*], as applicable.

(2) If a Registrant Firm fails to comply with the requirements set out in subsection (1), a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.

(3) If a Registrant Firm fails to comply with the requirements set out in subsection (1) within 2 months of having the condition placed on the Registrant Firm's registration and Permit to Practice pursuant to subsection (2), the Registrant Firm's registration and Permit to Practice must be cancelled.

7.7.3 Professional Practice Management Plan

(1) A Registrant Firm must develop and maintain a Professional Practice Management Plan that contains, at a minimum, the following elements:

(a) a Code of Conduct that explains how the Registrant Firm will ensure compliance with ethical standards by the Registrant Firm and by all individuals employed by or under contract with the Registrant Firm, including compliance with

(i) the Code of Ethics of EGBC set out in Schedule A of the Bylaws,

(ii) any guidelines on human rights, equity, diversity, or inclusion that have been approved by the Council, and

(iii) ethical business practices addressing corruption, conflict of interest, and contractual matters;

(b) a plan for how the Registrant Firm will ensure compliance with the standards of competence and quality management requirements pursuant to section 7.3 of the Bylaws [*Standards of Competence – Quality Management Requirements*];

(c) a plan for how the Registrant Firm will ensure compliance with the continuing education requirements pursuant to section 7.6 of the Bylaws [*Continuing Education Program*]; and

(d) a section setting out

(i) the organizational structure of the Registrant Firm,

(ii) the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s),

(iii) the Registrant Firm's area(s) of practice, and

(iv) the Responsible Registrant(s) designated to each area of practice at the Registrant Firm.

(e) a policy regarding the use of the Permit to Practice Number by individuals employed by or under contract with the Registrant Firm.

(2) A Registrant Firm's Professional Practice Management Plan must have documented approval by the Responsible Officer and each Responsible Registrant of the Registrant Firm.

(3) A Registrant Firm's Professional Practice Management Plan must be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm.

(4) A Registrant Firm must adhere to the Registrant Firm's Professional Practice Management Plan.

(5) A Registrant Firm must ensure that individuals employed by or under contract with the Registrant Firm are provided access to, understand the content of, and adhere to the Registrant Firm's Professional Practice Management Plan.

(6) Despite subsections (4) and (5), a Registrant Firm or an individual Registrant may depart from the quality management requirements included in the Registrant Firm's Professional Practice Management Plan pursuant to subsection (1)(b) if it is appropriate to do so for an identified reason, which must be

(a) documented by the Registrant Firm or the individual Registrant, and

(b) supported by a written rationale that is consistent with the Registrant Firm's or the individual Registrant's obligations pursuant to the PGA, applicable regulations, and the Bylaws.

(7) A Registrant Firm must

(a) annually review and, if necessary, revise the Registrant Firm's Professional Practice Management Plan to ensure its suitability and effectiveness,

(b) document the annual review conducted pursuant to subsection (a), and the approval of the review by the Responsible Officer and each Responsible Registrant at the Registrant Firm, and

(c) when requested by EGBC, submit the Registrant Firm's Professional Practice Management Plan to EGBC within 5 business days.

(8) A Registrant Firm must retain all approved versions of the Registrant Firm's Professional Practice Management Plan for a minimum of 10 years after the Professional Practice Management Plan is no longer in use by the Registrant Firm.

(9) A non-practising Registrant Firm is exempt from the requirements set out in subsections 7(a) and (b) of the Bylaws while maintaining its non-practising status.

7.7.4 Suspension or Cancellation of a Registrant Firm's Registration and Permit to Practice

(1) If a Registrant Firm's registration is suspended or under any limitation, condition, or restriction for any period pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also suspended or under the same limitation, condition, or restriction for that same period.

(2) If a Registrant Firm's registration is cancelled pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also cancelled.

7.8 Prohibited Contracts

(1) A Registrant must not enter into or agree to enter into any contract that would result in or require the breach of any duty under the PGA, associated regulations, or the Bylaws, including any of the duties pursuant to this Part, except as required or authorized by law.

8 Audit and Practice Review

8.1 Definitions

(1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

8.2 Powers of the Audit and Practice Review Committee

(1) In addition to functions and powers assigned to it under the PGA and set out elsewhere in the Bylaws, the Audit and Practice Review Committee has the functions and duties delegated to it by the Council in subsections (2) and (3).

(2) The Council authorizes the Audit and Practice Review Committee to exercise the Council’s powers pursuant to the following sections of the PGA:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of

(i) carrying out the powers delegated in subsection (3)(a)(ii), and

(ii) granting exemptions and deferrals pursuant to section 7.6.8(1)(a) of the Bylaws [*Applications or Exemptions from the Continuing Education Program*], section 8.6(5)(a) of the Bylaws [*Compliance Audit Program for Individual Registrants*], and section 8.7(6) of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(b) section 63(3) of the PGA [*Audits and practice reviews*] to authorize compliance audits as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] and section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(c) sections 63(4) and (5) of the PGA [*Audits and practice reviews*].

(3) The Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:

(a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Audit and Practice Review Committee pursuant to section 63(2)(b) of the PGA [*Audits and practice reviews*] to

(i) the Registrar, so that the Registrar may appoint assessors for the purpose of conducting an area of practice audit, and

(ii) one or more other officers, so that the officer(s) may appoint assessors for the purposes of conducting a compliance audit or a practice review;

(b) section 63(2) of the PGA [*Audits and practice reviews*].

(4) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee may only disclose or provide the following to any other person, including another Committee of EGBC, if the conditions set out in section 110(3)(a) or (b) of the PGA [*Confidentiality – committee matters*] are satisfied:

(a) records or information provided to the Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee;

(b) a self assessment prepared by a Registrant for a practice review.

(5) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee must notify the Investigation Committee if the conditions set out in section 110(4) of the PGA [*Confidentiality – committee matters*] are satisfied.

8.3 Powers of the Registrar

(1) The Council authorizes the Registrar to exercise the Council's powers pursuant to section 63(3) of the PGA [*Audits and practice reviews*], to authorize an area of practice audit as set out in section 8.8 of the Bylaws [*Audit Program for an Area of Practice*].

8.4 Appointment of Assessors

(1) An officer may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct a compliance audit or a practice review.

(2) A subject matter expert cannot be appointed as an assessor to conduct a compliance audit or a practice review pursuant to subsection (1) if the subject matter expert has or had a relationship with a Registrant subject to a compliance audit or a Registrant subject to practice review that would reasonably compromise that subject matter expert's objectivity as an assessor.

(3) The Registrar may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct an area of practice audit.

8.5 Commencement of Audit and Practice Review Programs

(1) The following programs will commence on a date to be determined by the Audit and Practice Review Committee:

(a) The compliance audit program for individual Registrants, as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*];

(b) The compliance audit program for Registrant Firms, as set out in section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];

(c) The practice review program for Registrant Firms, as set out in section 8.10 of the Bylaws [*Practice Review of Registrant Firms*].

(2) [Repealed 2021-12-03].

(3) [Repealed 2021-12-03].

(4) [Repealed 2021-12-03].

(5) [Repealed 2021-12-03].

8.6 Compliance Audit Program for Individual Registrants

(1) The Council must annually determine the percentage of individual Registrants who will be selected for a compliance audit through a random selection process.

(2) The Audit and Practice Review Committee must annually determine risk-based criteria to inform the random selection of individual Registrants for a compliance audit.

(3) The following individual Registrants are exempt from a compliance audit:

(a) Trainees;

(b) individual Registrants who are Sole Practitioners;

(c) individual Registrants who have undergone a compliance audit in the previous 5 years;

(d) individual Registrants who are employed by a Registrant Firm that has undergone an audit in the previous 12 months and the Registrant Firm has been found to be in compliance;

(e) life members or life limited licensees.

(4) An individual Registrant selected for a compliance audit must be provided with written notice of the compliance audit.

(5) An individual Registrant selected for a compliance audit may be granted an exemption from a compliance audit by

(a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant is unemployed, on parental leave, medical leave, or compassionate care leave, or

(b) the Audit and Practice Review Committee, if the individual Registrant has other extenuating circumstances.

(6) An individual Registrant subject to a compliance audit must co-operate with the compliance audit process, including

(a) answering questions posed to the individual Registrant,

(b) providing all requested information, files, or records in the individual Registrant's possession or control, including information, files, or records related to the individual Registrant's continuing education, and

(c) undergoing an interview with an assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.

(7) Through a review of the evidence provided by the individual Registrant subject to a compliance audit in subsection (6), including answers, information, files, or records, the assessor must assess whether the individual Registrant is in compliance with all applicable regulatory requirements, which may include

(a) applicable requirements of the continuing education program,

(b) applicable quality management standards and professional practice guidelines, and

(c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.

(8) Based on the assessor's assessment pursuant to subsection (7), the assessor must do one of the following:

(a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit;

(b) in the case of a Minor Non-Conformance, prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period;

(c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.

(9) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (8)(b) within the specified time period,

(a) the assessor must close the compliance audit file, and

(b) the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.

(10) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b) within the specified time period, the assessor must do one of the following:

(a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b);

(b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.

(11) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsection (8)(c) or (10)(b), the individual Registrant subject to a compliance audit must be provided with

(a) the assessor's report of the compliance audit, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.

(12) After reviewing the assessor's report of the compliance audit, any written response from the individual Registrant subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must

(a) prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or compliance audits of the individual Registrant,

(b) authorize a practice review of the individual Registrant pursuant to section 63(4) of the PGA [*Audits and practice reviews*],

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or

(d) close the compliance audit file,

and provide written notice to the individual Registrant.

(13) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the individual Registrant.

(14) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must

(a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a),

(b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the individual Registrant.

(15) In addition to any action taken by the assessor under this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.7 Compliance Audit Program for Registrant Firms

(1) All Registrant Firms will become eligible for an initial mandatory compliance audit to commence on or after a date to be determined by the Audit and Practice Review Committee.

(2) Following the completion of the initial mandatory compliance audit pursuant to subsection (1), a Registrant Firm will become eligible for routine compliance audits.

(3) The Audit and Practice Review Committee must set criteria to inform the selection of routine compliance audits for Registrant Firms and may take risk-based criteria into account in this determination.

(4) A non-practising Registrant Firm is exempt from undergoing a compliance audit pursuant to this section of the Bylaws while maintaining its non-practising status.

(5) A Registrant Firm selected for a compliance audit must be provided with written notice of the compliance audit.

(6) A Registrant Firm selected for a compliance audit may be granted deferral of the compliance audit by the Audit and Practice Review Committee, upon submission of

(a) a written request for the deferral setting out the reasons for which the deferral is being requested and the anticipated length of the deferral, and

(b) any documents, information, records, declarations, or other information that supports the Registrant Firm's request or that may be requested by the Audit and Practice Review Committee in assessing the Registrant Firm's request for a deferral.

(7) A deferral of a compliance audit granted to a Registrant Firm pursuant to subsection (6) has a maximum duration of one year from the date that the deferral is granted, upon which the deferral will expire and the compliance audit may proceed, unless a further deferral is granted pursuant to subsection (6).

(8) A Registrant Firm that has been granted a deferral of a compliance audit pursuant to subsection (6) may apply for a further deferral by the Audit and Practice Review Committee, upon submission of a further request for a deferral in accordance with the requirements set out in subsection (6).

(9) A Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the compliance audit process, including

(a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the compliance audit and

(ii) communications on behalf of the Registrant Firm,

(b) answering all questions posed to the Registrant Firm,

(c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,

(d) facilitating site visits by the assessor, or any person designated by the assessor, to any requested work locations, including taking reasonable steps to arrange for and provide site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and

(e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm.

(10) A Responsible Registrant designated pursuant to subsection (9)(a) must have sufficient knowledge of the subject matter of the audit, the ability and sufficient authority to facilitate the audit as required, and the authority to make binding decisions on behalf of the Registrant Firm with respect to the audit.

(11) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (9)(a) does not meet the requirements set out in subsection (10), then the assessor may direct the Responsible Officer, an Individual With Authority, or

any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the audit pursuant to subsection (9).

(12) Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9), including answers, information, files, or records, the assessor must assess whether the Registrant Firm is in compliance with all applicable regulatory requirements, including the Bylaws, guidelines, practice advisories, and policies of EGBC, as well as the quality management, continuing education, and ethics standards.

(13) Based on the assessor's assessment pursuant to subsection (12), the assessor must do one of the following:

(a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the with assessor's report of the compliance audit;

(b) in the case of a Minor Non-Conformance, prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period; or,

(c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.

(14) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (13)(b) within the specified time period,

(a) the assessor must close the compliance audit file, and

(b) the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.

(15) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b) within the specified time period, the assessor must do one of the following:

(a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b); or,

(b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.

(16) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsections (13)(c) or (15)(b), the Registrant Firm subject to a compliance audit must be provided with

(a) the assessor's report of the compliance audit, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.

(17) After reviewing the assessor's report of the compliance audit, any written response from the Registrant Firm subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:

(a) prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or audits of the Registrant Firm,

(b) authorize a practice review of the Registrant Firm pursuant to section 63(4) of the PGA [*Audits and practice reviews*],

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or

(d) close the compliance audit file,

and provide written notice to the Registrant Firm.

(18) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the Registrant Firm.

(19) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must do one of the following:

(a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a);

(b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*]; or

(c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable;

and provide written notice to the Registrant Firm.

(20) In addition to any action taken by the assessor pursuant to this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.8 Audit Program for an Area of Practice

(1) The Registrar may authorize an area of practice audit of an identified area of practice to be completed by an assessor appointed by the Registrar for that purpose pursuant to section 8.4(3) of the Bylaws [*Appointment of Assessors*].

(2) If the Registrar authorizes an area of practice audit pursuant to subsection (1), the Registrar must

(a) set out the purpose of the area of practice audit, and

(b) determine the percentage of Registrants practising in that area of practice who will be selected for the area of practice audit through a random selection process.

(3) A Registrant selected for an area of practice audit must be provided with written notice of the area of practice audit.

(4) A Registrant selected for an area of practice audit may be granted an exemption from the area of practice audit by the Registrar.

(5) A non-practising Registrant Firm is exempt from undergoing an area of practice audit pursuant to this section of the Bylaws while maintaining its non-practising status.

(6) A Registrant subject to an area of practice audit must co-operate with the area of practice audit process, including

(a) if the Registrant is a Registrant Firm with more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the area of practice audit, and

(ii) communications on behalf of the Registrant Firm,

(b) answering questions posed to the Registrant,

(c) providing all requested information, files, or records in the Registrant's possession or control, and

(d) undergoing an interview with the assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.

(7) The evidence provided by all Registrants subject to an area of practice audit pursuant to subsection (6), including answers, information, files, or records, must be compiled to produce a report on the findings of the area of practice audit and subsequent recommendations.

(8) The report on the findings of the area of practice audit and subsequent recommendations produced pursuant to subsection (7) must be provided to the Registrar, and the Registrar may determine what action to take based on the findings of the area of practice audit and subsequent recommendations.

8.9 Practice Review of Individual Registrants

(1) The following categories of individual Registrants are exempt from practice reviews:

(a) Trainees;

(b) life members or life limited licensees.

(2) A practice review of an individual Registrant, other than a Registrant exempted pursuant to subsection (1), may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if

(a) the individual Registrant consents, or

(b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the individual Registrant might have

(i) contravened the PGA, the regulations or the Bylaws,

(ii) failed to comply with a standard, limit or condition imposed under the PGA,

(iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or

(iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(3) An individual Registrant subject to practice review must be provided with written notice of the practice review.

(4) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], an individual Registrant subject to practice review must co-operate with the practice review process, including

(a) answering questions posed to the individual Registrant,

(b) providing access to all requested information, files, or records in the individual Registrant's possession or control, and

(c) undergoing an interview with an assessor, either in person or by Electronic Means.

(5) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the individual Registrant subject to practice review must be provided with

(a) the assessor's report of the practice review, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.

(6) After reviewing the assessor's report of the practice review, any written response from the individual Registrant subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must

(a) close the practice review file,

(b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the individual Registrant, including

(i) restricting the practice that may be engaged in by the individual Registrant,

(ii) requiring that the individual Registrant be overseen by another Registrant when engaged in the Regulated Practice, and

(iii) requiring that the individual Registrant undertake additional training, or

(c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the individual Registrant.

(7) The Audit and Practice Review Committee may remove any limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b) if the individual Registrant

(a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and

(b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.

(8) After the removal of all limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the individual Registrant.

(9) If the individual Registrant subject to practice review fails to abide by any limits or conditions imposed on the individual Registrant pursuant to subsection (6)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

8.10 Practice Review of Registrant Firms

(1) A practice review of a Registrant Firm may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if

(a) the Registrant Firm consents, or

(b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the Registrant Firm might have

(i) contravened the PGA, the regulations or the Bylaws,

(ii) failed to comply with a standard, limit, or condition imposed under the PGA,

(iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or

(iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(2) A Registrant Firm subject to practice review must be provided with written notice of the practice review.

(3) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], a Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the practice review process, including

(a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate

(i) the Registrant Firm's co-operation with the practice review, and

(ii) communications on behalf of the Registrant Firm,

(b) answering questions posed to the Registrant Firm,

(c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,

(d) facilitating site visits by the assessor, or anyone designated by the assessor, to any requested work locations, including arranging for and providing site access, all necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and

(e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means, if the assessor determines that such interviews are desirable or necessary.

(4) A Responsible Registrant designated pursuant to subsection (3)(a) must have sufficient knowledge of the subject matter of the practice review, the ability and sufficient authority to facilitate the practice review as required, and the authority to make binding decisions on behalf of the Registrant Firm.

(5) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (3)(a) does not meet the requirements set out in subsection (4), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm, to be designated for the purpose of coordinating the practice review pursuant to subsection (3).

(6) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the Registrant Firm subject to practice review must be provided with:

(a) the assessor's report of the practice review, and

(b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.

(7) After reviewing the assessor's report of the practice review, any written response from the Registrant Firm subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:

(a) close the practice review file,

(b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the Registrant Firm, including:

(i) restricting the practice that may be engaged in by the Registrant Firm and on behalf of the Registrant Firm by any individuals employed by or under contract with the Registrant Firm,

(ii) requiring that the work of the Registrant Firm and any individuals employed by or under contract with the Registrant Firm be overseen by another Registrant when engaged in the Regulated Practice, and

(iii) requiring that any individuals employed by or under contract with the Registrant Firm undertake additional training, or

(c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the Registrant Firm.

(8) The Audit and Practice Review Committee may remove any limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b) if the Registrant Firm

(a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and

(b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.

(9) After the removal of all limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the Registrant Firm.

(10) If the Registrant Firm subject to practice review fails to abide by any limits or conditions imposed on the Registrant Firm pursuant to subsection (7)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

9 Complaints and Investigation

9.1 Definitions

(1) For the purpose of this Part, "Registrant" includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

9.2 Powers of the Investigation Committee

(1) The Investigation Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council in subsections (2) and (3).

(2) The Council authorizes the Investigation Committee to exercise the Council's powers pursuant to the following sections of the PGA and Regulations, other than the Council's bylaw-making authority:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated in subsection (3)(a);

(b) section 66(1) of the PGA [*Investigations*];

(c) [Repealed 2021-12-03];

(d) section 67(1) and (4) of the PGA [*Extraordinary action*];

(e) section 72(3) of the PGA [*Reprimand or remedial action by consent*];

(f) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*], in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].

(3) The Council authorizes the Investigation Committee to act pursuant to the following sections of the PGA:

(a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Investigation Committee pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*] to one or more officers;

(b) section 65(4) of the PGA [*Complaints*] to

(i) authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*], or

(ii) take action pursuant to section 66 of the PGA [*Investigations*].

9.3 Officers

(1) All members of the Investigation Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

9.4 Powers of the Registrar

(1) The Council authorizes the Registrar to act pursuant to section 65(4) of the PGA [*Complaints*] to authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*].

9.5 Avoiding the Appearance of Bias

(1) A member of the Investigation Committee must not participate in the consideration or investigation of a matter in which the member of the Investigation Committee

(a) had involvement prior to the decision of the Investigation Committee to authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], or

(b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to investigation

that would reasonably compromise the member's objectivity.

9.6 Disposition of Complaints by the Registrar

(1) After receipt of a complaint, the Registrar may do any of the following:

(a) close all or part of the complaint without an investigation if the Registrar reasonably believes that any of the following apply:

(i) the complaint concerns a matter over which EGBC does not have jurisdiction;

(ii) the complaint does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(iii) the complaint is Trivial, Frivolous, Vexatious, or made in Bad Faith;

(b) close the complaint without an investigation and authorize a practice review of the Registrant subject to the complaint pursuant to section 65(4) of the PGA [*Complaints*], to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to the complaint is a Trainee, who may not be referred to the Audit and Practice Review Committee for a practice review;

(c) bring the complaint and any available evidence to the Investigation Committee in form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

(2) If the Registrar closes a complaint pursuant to subsection (1)(a), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for closure.

(3) If the Registrar closes a complaint file and refers the Registrant subject to the complaint to the Audit and Practice Review Committee pursuant to subsection (1)(b), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for the referral.

9.7 Investigation

9.7.1 Authorizing an Investigation

(1) If EGBC receives information from any source that indicates a Registrant may have been guilty of

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Registrar may bring such information and any available evidence to the Investigation Committee in the form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

(2) Upon receipt of a written report pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*], the Investigation Committee may do one of the following:

(a) decline to authorize an investigation, if the Investigation Committee reasonably believes that any of the following apply with respect to the allegations in the written report:

(i) the allegations concern a matter over which EGBC does not have jurisdiction;

(ii) the report does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(iii) the substance of the allegations has been or could be appropriately dealt with in another process or proceeding;

(iv) there is no reasonable prospect that the allegations, if proven, could substantiate a finding of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

(v) the allegations are Trivial, Frivolous, Vexatious, or made in Bad Faith;

(vi) the allegations give rise to an Abuse of Process;

(vii) the allegations were raised for an improper purpose or motive;

(viii) the allegations relate to a contractual dispute between the Registrant and a third party and there is no public interest in authorizing an investigation;

(b) authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] and

(i) order further investigation to be conducted pursuant to sections 9.7.4 to 9.7.6 of the Bylaws, or

(ii) deem the investigation to be complete based on the written report provided pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] and make a decision pursuant to section 9.7.7 of the Bylaws [*Decision by the Investigation Committee*].

(3) If the Investigation Committee declines to authorize an investigation pursuant to subsection (2)(a), the Investigation Committee must provide the Complainant and the Registrant subject to the complaint with a written report stating the nature of the complaint and the reasons for closure of the file.

(4) If the written report brought to the Investigation Committee pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] contains evidence that a Registrant has been convicted of an indictable offence, the Investigation Committee may authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], deem the investigation to be complete based on the written report, and take action pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*].

(5) If the Investigation Committee authorizes an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] in relation to a public sector Firm, EGBC must notify the Superintendent of Professional Governance within 30 days of the decision to authorize the investigation.

9.7.2 Suspension or Cancellation on the Basis of an Indictable Offence

(1) If the Investigation Committee is satisfied that a Registrant has been convicted of an indictable offence, the Investigation Committee may make an order to summarily suspend or cancel the registration of the Registrant, and if the Registrant is a Registrant Firm, suspend or cancel the Registrant Firm's Permit to Practice.

(2) Before proceeding pursuant to subsection (1), the Investigation Committee must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Registrant has engaged in

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.

(3) The Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(4) The Investigation Committee must, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

(a) action may be undertaken pursuant to subsection (1), and

(b) the Registrant may, by a specified date, make written submissions to the Investigation Committee.

(5) The Investigation Committee may hear oral submissions from the Registrant, in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) Despite subsections (4) and (5) if the Investigation Committee considers it necessary to protect the public interest, the Investigation Committee may initiate Proceedings pursuant to this section of the Bylaws or make an order pursuant to subsection (1) without

(a) providing notice to the Registrant, or

(b) providing the Registrant with an opportunity to make written or oral submissions to the Investigation Committee.

(7) If the Investigation Committee makes an order pursuant to subsection (1) to suspend or cancel the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee must deliver the order to the Registrant.

(8) If the Investigation Committee makes an order pursuant to subsection (1) suspending the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee

(a) must determine the length and any conditions of the suspension in its order, and

(b) may amend or rescind the order.

9.7.3 Extraordinary Action to Protect the Public

(1) At any time after authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], the Investigation Committee may, if it considers that it is necessary to protect the public interest,

(a) take action pursuant to section 67 of the PGA [*Extraordinary action*], or

(b) refer the file to the Discipline Committee, without the issuance of a citation, for the Discipline Committee to consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].

(2) The members of any Investigation Subcommittee carrying out an investigation or overseeing and taking responsibility for an investigation carried out by an Investigator and the members of any Resolution Subcommittee must not, for the same matter, participate in any Proceedings related to section 67 of the PGA [*Extraordinary action*].

(3) If the Investigation Committee decides to proceed pursuant to subsection (1)(a), the Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(4) The Investigation Committee may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

(a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and

(b) the Registrant subject to investigation may, by a specified date, make written submissions to the Investigation Committee.

(5) The Investigation Committee may hear oral submissions from the Registrant subject to investigation in the place of or in addition to the written submissions referred to in subsection (4)(b).

(6) Despite subsections (4) and (5), if the Investigation Committee considers that it is necessary to protect the public interest, the Investigation Committee may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] without

(a) providing notice to the Registrant subject to investigation, or

(b) providing the Registrant subject to investigation with an opportunity to make written or oral submissions to the Investigation Committee.

(7) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].

(8) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Investigation Committee determines that its order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the Registrant subject to investigation.

(9) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Investigation Committee or the Discipline Committee, as applicable.

9.7.4 Carrying out of an Investigation

(1) The Investigation Committee may appoint Investigators as officers and delegate to those Investigators the Investigation Committee's powers pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*].

9.7.5 Necessary Co-operation During an Investigation

(1) An Investigator may, pursuant to section 66(1)(b) and (c) of the PGA [*Investigations*], issue a written notice to the Registrant subject to investigation requiring the Registrant subject to investigation to

(a) co-operate with the investigation,

(b) provide evidence of education, training or experience in the area(s) of practice relevant to the investigation,

(c) answer questions in the manner specified by the Investigator(s),

(d) produce files, records or other evidence in the Registrant's possession or control,

(e) provide explanations on request,

(f) appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant subject to investigation, and

(g) if the Registrant is a Registrant Firm,

(i) produce any documentation or records requested by the Investigator, including but not limited to the Registrant Firm's corporate records, constating documents, project files, and quality management documents and records,

(ii) require any director, officer, individual employed by or under contract with, or any other individual authorized to act on behalf of a Registrant Firm, including the Responsible Officer, any Individual With Authority, or any Responsible Registrant of a Registrant Firm subject to investigation, to appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant Firm subject to investigation, and

(iii) if the Registrant Firm has more than one Responsible Registrant, designate one Responsible Registrant to co-ordinate

(A) the Registrant Firm's co-operation with the investigation, and

(B) communications on behalf of the Registrant Firm.

(2) The Registrant subject to investigation may have legal counsel present at an appearance described in subsection (1)(f), or if the Registrant is a Registrant Firm, legal counsel may be present at any appearance pursuant to subsection (1)(g)(ii).

(3) An appearance described in subsections (1)(f) and (1)(g)(ii)

(a) is an examination under oath or affirmation,

(b) may be recorded by EGBC by

(i) audio, or

(ii) audio and video, and

(c) may be transcribed by a court reporter for the purpose of preparing a certified transcript.

(4) A Responsible Registrant designated to co-ordinate an investigation and communicate on behalf of a Registrant Firm pursuant to subsection (1)(g)(iii) must, at a minimum:

(a) have sufficient knowledge of the subject matter at issue in the investigation,

(b) have the authority and ability to facilitate the investigation as required by the Investigator, and

(c) be an Individual With Authority at the Registrant Firm.

(5) If the Investigation Committee determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (1)(g)(iii) fails to meet any of the requirements set out in subsection (4) then the Investigation Committee may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the investigation and communicating on behalf of the Registrant Firm.

(6) In addition to complying with any written notice issued pursuant to subsection (1), a Registrant subject to investigation must facilitate all requests and actions by an Inspector pursuant to section 69 of the PGA [*Powers and duties of inspectors*], including taking reasonable steps to arrange for and provide access to

(a) premises or project sites where the Registrant engages or has engaged in the Regulated Practice, including providing any information or assistance required to comply with applicable health and safety legislation during the Inspector's examination of the premises,

(b) any employees, contractors, or personnel who engage in the Regulated Practice under the supervision of or on behalf of the Registrant,

(c) all files, documents, and records, electronic or otherwise, relating to the Registrant's Regulated Practice, and

(d) any equipment, or materials used by a Registrant to engage in the Regulated Practice.

9.7.6 Conclusion of an Investigation

(1) At the conclusion of an investigation, the Investigator(s) must provide a written report to the Investigation Committee detailing the evidence gathered during the investigation, an assessment of the evidence gathered during the investigation, and the recommendations of the Investigator(s).

9.7.7 Decision by the Investigation Committee

(1) After deeming an investigation to be complete pursuant to section 9.7.1(2)(b)(ii) of the Bylaws [*Authorizing an Investigation*], or after receipt of a written report prepared pursuant to section 9.7.6(1) of the Bylaws [*Conclusion of an Investigation*], the Investigation Committee may do any of the following:

(a) close the investigation file, with the option to write a letter of recommendation to the Registrant subject to investigation suggesting how the Registrant can improve their practice or conduct;

(b) close the investigation file and, pursuant to section 65(4) of the PGA [*Complaints*], authorize a practice review of the Registrant subject to investigation to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to investigation is a Trainee who may not be referred to the Audit and Practice Review Committee for a practice review;

(c) attempt to resolve one or more of the matters subject to investigation by means other than a discipline hearing, pursuant to section 9.9 of the Bylaws [*Resolution by the Investigation Committee*];

(d) pursuant to section 66(1)(d) of the PGA [*Investigations*] issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

(2) When deciding to issue a citation pursuant to subsection (1)(d), the Investigation Committee may also make a recommendation to the Discipline Committee that the Discipline Committee consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].

(3) The Investigation Committee must inform and provide written reasons for its decision made pursuant to subsection (1) to

(a) the Registrant subject to investigation, and

(b) the Complainant, if the investigation is based on a complaint.

(4) The members of any Investigation Subcommittee or Resolution Subcommittee must not vote on the disposition of the investigation pursuant to subsection (1).

9.8 Issuance and Rescission of a Citation

(1) Pursuant to section 66(1)(d) of the PGA [*Investigations*], if the Investigation Committee determines that it is in the public interest, and if the Investigation Committee has reasonable and probable grounds to believe that the Registrant subject to investigation may be guilty of

(a) Professional Misconduct,

(b) Conduct Unbecoming a Registrant, or

(c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Investigation Committee may issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

(2) The Investigation Committee may amend or rescind, in whole or in part, a citation issued pursuant to subsection (1).

9.9 Resolution by the Investigation Committee

(1) If the Investigation Committee makes a determination pursuant to section 9.7.7(1)(c) of the Bylaws [*Decision by the Investigation Committee*], the Investigation Committee may appoint a Resolution Subcommittee to oversee and take responsibility for attempting to resolve one or more of the matters subject to investigation by one or more of the following methods:

(a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to investigation pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];

(b) propose a consent order in writing to the Registrant subject to investigation pursuant to section 73 of the PGA [*Consent orders*];

(c) enter into the Alternative Complaint Resolution process with the Registrant subject to investigation pursuant to section 74 of the PGA [*Alternative complaint resolution*].

(2) If the Registrant subject to investigation is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

9.9.1 Reprimand or Remedial Action by Consent

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].

(2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify

(a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to investigation, and

(b) the procedure, if any, that the Registrant subject to investigation may follow to be released from the undertaking.

(3) If the Registrant subject to investigation agrees to an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the agreement must be approved by the Investigation Committee.

(4) If the Registrant subject to investigation rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee may

(a) direct the Registrar to issue a citation for a hearing by the Discipline Committee pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], or

(b) continue with the investigation process as though the offer to resolve one or more matters by means of an undertaking or reprimand by consent pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] had not been made.

(5) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (3) or (4).

9.9.2 Consent Orders

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to investigation.

(2) If the Registrant subject to investigation agrees to a consent order proposed pursuant to section 73(1) of the PGA [*Consent orders*], the agreement must be approved by the Investigation Committee.

(3) A consent order made between the Investigation Committee and the Registrant subject to investigation must meet the requirements set out in section 73 of the PGA [*Consent orders*].

(4) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (2).

9.9.3 Alternative Complaint Resolution by the Investigation Committee

(1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:

(a) the Investigation Committee;

(b) the Registrant subject to investigation;

(c) the Registrar.

(2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.

(3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10 Discipline

10.1 Definitions

(1) For the purpose of this Part, "Registrant" includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

10.2 Powers of the Discipline Committee

(1) The Discipline Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council pursuant to subsections (2) and (3).

(2) The Council authorizes the Discipline Committee to exercise the Council's powers pursuant to the following sections of the PGA and Regulations:

(a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out powers of the Discipline Committee as delegated in this Part of the Bylaws;

(b) section 67(1) and (4) of the PGA [*Extraordinary action*];

(c) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*] in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].

(3) The Council authorizes the Discipline Committee to act pursuant to section 32(5)(b) of the PGA [*Officers and committees*], to delegate to one or more officers the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

10.3 Officers and Discipline Committee Panels

(1) All members of the Discipline Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

(2) The chair or vice chair of the Discipline Committee may do one or more of the following:

(a) appoint members of the Discipline Committee to serve on a Panel;

(b) terminate an appointment to a Panel;

(c) refer a matter that is before the Discipline Committee to the following Panels:

(i) an Extraordinary Action Panel, to take action pursuant to section 67 of the PGA [*Extraordinary action*];

(ii) a Discipline Resolution Panel, to take action pursuant to sections 72 to 74 of the PGA;

(iii) a Discipline Hearing Panel, to take action pursuant to section 75 or 76 of the PGA.

(3) On the appointment of members of the Discipline Committee to an Extraordinary Action Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Extraordinary Action Panel the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

(4) On the appointment of members of the Discipline Committee to a Discipline Resolution Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Discipline Resolution Panel the powers of the Discipline Committee pursuant to sections 72 to 74 of the PGA.

(5) A member of the Discipline Committee must not sit on more than one Panel concerning the same matter.

10.4 Avoiding the Appearance of Bias

(1) A member of the Discipline Committee must not sit on a Panel concerning a matter in which the member of the Discipline Committee

(a) had involvement prior to the matter being referred to the Panel pursuant to section 10.3(2)(c) of the Bylaws [*Officers and Discipline Committee Panels*], or

(b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to discipline

that would reasonably compromise the member's objectivity.

10.5 Extraordinary Action to Protect the Public

(1) An Extraordinary Action Panel may, if it considers that it is necessary to protect the public interest, take action pursuant to section 67 of the PGA [*Extraordinary action*]

(a) During the course of an investigation pursuant to section 66 of the PGA [*Investigations*], upon recommendation by the Investigation Committee pursuant to section 9.7.3(1)(b) of the Bylaws [*Extraordinary Action to Protect the Public*], or

(b) pending a hearing pursuant to section 75 of the PGA [*Discipline Hearings*], on recommendation by the Investigation Committee pursuant to section 9.7.7(2) of the Bylaws [*Decision by the Investigation Committee*], or on application by EGBC.

(2) An Extraordinary Action Panel may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b), or (c).

(3) An Extraordinary Action Panel may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the subject Registrant that

(a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and

(b) the subject Registrant may, by a specified date, make written submissions to the Extraordinary Action Panel.

(4) An Extraordinary Action Panel may hear oral submissions from the subject Registrant in the place of or in addition to the written submissions referred to in subsection (3)(b).

(5) Despite subsection (3) and (4) if an Extraordinary Action Panel considers that it is necessary to protect the public interest, the Extraordinary Action Panel may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary Action*] without

(a) providing notice to the subject Registrant, or

(b) providing the subject Registrant with an opportunity to make written or oral submissions to the Investigation Committee.

(6) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].

(7) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Discipline Committee or an Extraordinary Action Panel determines that the order made pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the subject Registrant as soon as possible.

(8) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Discipline Committee.

10.6 Resolution by the Discipline Committee

(1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee may appoint a Discipline Resolution Panel to attempt to resolve one or more of the matters set out in the citation by one or more of the following methods:

(a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to discipline pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];

(b) propose a consent order in writing to the Registrant subject to discipline pursuant to section 73 of the PGA [*Consent orders*];

(c) enter into the Alternative Complaint Resolution process with the Registrant subject to discipline pursuant to section 74 of the PGA [*Alternative complaint resolution*].

(2) If the Registrant subject to discipline is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

10.6.1 Reprimand or Remedial Action by Consent

(1) In relation to one or more of the matters set out in the citation, the Discipline Resolution Panel may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].

(2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify

(a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to discipline, and

(b) the procedure, if any, that the Registrant subject to discipline may follow to be released from the undertaking.

(3) If the Registrant subject to discipline rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*],

(a) the disciplinary processes may continue as though the offer to resolve one or more matters to be dealt with at the discipline hearing had not been made, and

(b) the offer to resolve one or more matters to be dealt with at the discipline hearing must not be considered in determining the matters or in taking an action or imposing a penalty in respect of the matters during a discipline hearing.

10.6.2 Consent Orders

(1) In relation to one or more of the matters to be dealt with at the discipline hearing, the Discipline Resolution Panel may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to discipline.

(2) A consent order made between the Discipline Resolution Panel and the Registrant subject to discipline must meet the requirements set out in section 73 of the PGA [*Consent orders*].

10.6.3 Alternative Complaint Resolution by the Discipline Committee

(1) In relation to one or more of the matters to be dealt with at the discipline hearing, the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:

(a) the Discipline Resolution Panel;

(b) the Registrant subject to discipline;

(c) the Registrar.

(2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.

(3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10.7 Discipline Hearings

(1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to conduct the hearing pursuant to section 75 of the PGA [*Discipline hearings*].

(2) A discipline hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Discipline Hearing Panel.

10.8 Conduct in Another Jurisdiction

(1) If the Discipline Committee learns that a Different Governing Body has found, or a Registrant has admitted to a Different Governing Body, that the Registrant committed an act that, in the opinion of the Discipline Committee, would constitute Conduct of Concern, the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to take action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

(2) The Discipline Hearing Panel must provide the Registrant with the following before taking any action pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*]:

(a) at least 14 days' written notice of the proposed action;

(b) an opportunity to be heard, which must be limited to a hearing in writing unless otherwise ordered by the Discipline Hearing Panel.

10.9 Assessment of Costs After a Discipline Hearing

(1) If an adverse determination is made against a Respondent after a discipline hearing held pursuant to section 75 of the PGA [*Discipline hearings*] the Discipline Hearing Panel must require, through an order in writing, that the Respondent pay EGBC's costs, which may be up to the actual costs incurred by EGBC as a result of an investigation and a discipline hearing, provided that those actual costs are within the limits set out in section 81(2)(a) of the PGA [*Costs*].

(2) For the purpose of calculating costs with respect to an investigation, recoverable costs are all costs incurred from the time the investigation is authorized pursuant to section 66(1)(a) of the PGA [*Investigations*] until the time that a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or section 72(3) of the PGA [*Reprimand or remedial action by consent*].

(3) For the purpose of calculating costs with respect to a discipline hearing, recoverable costs are all costs incurred from the time that the citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*] until the conclusion of a hearing regarding the amount of costs to be assessed pursuant to section 81 of the PGA [*Costs*].

(4) For the purposes of subsections (2) and (3), recoverable costs must include

(a) salary costs for employees or officers engaged in the investigation and the discipline hearing, and

(b) the actual costs incurred by EGBC during the course of the investigation and the discipline hearing, including any motions, applications or pre-hearing conferences, or any other applications associated with a discipline matter, which may include some or all of the following:

(i) costs incurred to retain contractors who are engaged in the investigation and the discipline hearing, including contractors who are appointed as officers;

(ii) expenses incurred by persons appointed as Inspectors for EGBC pursuant to section 68 of the PGA [*Inspectors*];

(iii) fees charged and expenses incurred by legal counsel retained by EGBC;

(iv) fees charged and expenses incurred by expert witnesses retained by EGBC or EGBC's legal counsel;

(v) expenses incurred by witnesses called to testify by EGBC;

(vi) the cost of recording interviews, pre-hearing conferences, and hearings;

(vii) the cost of a court reporter for interviews, pre-hearing conferences, and hearings;

(viii) the cost of preparing a transcript of interviews, pre-hearing conferences, and hearings;

(ix) the cost of a translator for interviews, pre-hearing conferences, and hearings;

(x) costs incurred to rent facilities at which interviews, pre-hearing conferences, and hearings are held;

(xi) costs incurred to conduct interviews, pre-hearing conferences, and hearings, whether conducted in person, by Electronic Means, in writing or by any combination thereof;

(xii) any other reasonable costs, fees, or expenses paid or payable by EGBC as a result of the investigation or the hearing pursuant to section 75 of the PGA [*Discipline hearings*].

(5) In determining the costs to require the Respondent to pay, the Discipline Hearing Panel

(a) must consider whether EGBC did not prove all the allegations made against the Respondent set out in the citation to the requisite standard, and if so, the seriousness of the allegations which were not proven relative to those which were proven, and

(b) may consider evidence that the Respondent previously rejected

(i) an undertaking or a consent requested by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], or

(ii) a consent order proposed by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 73(1) of the PGA [*Consent orders*].

10.10 Payment of Costs

(1) A Respondent must pay the full amount of any costs imposed on the Respondent pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*] within 30 days of the date of the order for costs, unless an extension for payment of costs is obtained pursuant to section 10.10.1(1) of the Bylaws [*Extension of Time for Payment of Costs*].

10.10.1 Extension of Time for Payment of Costs

(1) Upon receipt of a written request from a Respondent stating that the Respondent will suffer financial hardship if the Respondent is required to pay costs within 30 days of the date of the order for costs, the Registrant must be granted a one-time, 30-day extension for payment of costs imposed on the Respondent pursuant to section 10.9 of Bylaws [*Assessment of Costs After a Discipline Hearing*].

11 Public Disclosure of Disciplinary Orders

11.1 Definitions

(1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

11.2 Publication of Citations

(1) If a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*], EGBC must publish the full text of the citation on a public website maintained by EGBC at least 30 days in advance of the date of the discipline hearing.

(2) Despite subsection (1), prior to publishing the citation, the Investigation Committee may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee determines that the public interest in the information being made publicly available is outweighed by the privacy interest of

(a) a person other than the Registrant subject to discipline, or

(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.

(3) If the Investigation Committee makes a determination pursuant to subsection (2), the publication of the citation must include a note that information has been withheld.

11.3 Public Attendance at a Discipline Hearing

(1) A discipline hearing must be public.

(2) At least 30 days in advance of the date of the discipline hearing, EGBC must publish the anticipated date and time of the discipline hearing, including, if determined by the Discipline Hearing Panel, whether the hearing is anticipated to proceed in person, by Electronic Means, in writing, or by any combination thereof.

(3) Despite subsection (1), in extraordinary circumstances, the Discipline Hearing Panel may make an order excluding the public from all or part of a discipline hearing if the Discipline Hearing Panel determines that

(a) there are reasons for confidentiality that may be disclosed at the hearing that outweigh the public interest in having an open hearing, or

(b) the safety of a person may be jeopardized.

(4) The Discipline Hearing Panel may limit the number of people who may attend a discipline hearing given the capacity of the facility in which the discipline hearing is being held or the capabilities of the Electronic Means.

(5) No person may make a visual or audio recording of a discipline hearing unless granted permission by the Discipline Hearing Panel prior to the discipline hearing commencing.

11.4 Publication of Disciplinary Orders

(1) EGBC must publish the full text of a Disciplinary Order on a public website maintained by EGBC within 30 days of the date of the Disciplinary Order.

(2) In addition to subsection (1), EGBC may publish a summary or the full text of a Disciplinary Order by other methods, including by one or more of the following means:

(a) in any of EGBC's electronic or paper communications;

(b) in a press release;

(c) in a local newspaper;

(d) in a legal research or decision database.

(3) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order, the Investigation Committee or a Panel of the Discipline Committee, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee or a Panel of the Discipline Committee, as applicable, determines that the public interest in the information being made publicly available is outweighed by the privacy interest of

(a) a person other than the Registrant subject to investigation or discipline, or

(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.

(4) If the Investigation Committee or a Panel of the Discipline Committee, as applicable, makes a determination pursuant to subsection (3), the publication of the Disciplinary Order must include a note that information has been withheld.

(5) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order that is a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee or Discipline Resolution Panel, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of the Registrant subject to investigation or discipline, if the following conditions are met:

(a) the consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] does not impose limitations or conditions on the Regulated Practice by the Registrant subject to investigation or discipline; and

(b) the Investigation Committee or Discipline Resolution Panel, as applicable, determines that non-publication is in the public interest.

(6) Despite subsections (1) and (2), if the Registrar determines that the public interest in a Disciplinary Order being made publicly available is outweighed by the potential prejudice to another investigation or disciplinary matter, the Registrar may temporarily withhold from publication the minimum portion of the Disciplinary Order, which could include the entirety of the Disciplinary Order, as necessary to prevent the potential prejudice.

(7) If publication of a Disciplinary Order is temporarily withheld pursuant to subsection (6), EGBC must:

(a) notify the Superintendent of Professional Governance within 30 days of the date of the Disciplinary Order that is to be temporarily withheld from publication,

(b) publish a note on EGBC's public website stating that certain information is being temporarily withheld to ensure the fair conclusion of another proceeding, and

(c) publish the Disciplinary Order that is being temporarily withheld from publication within 30 days of the date that the related investigation or disciplinary matter has been concluded, or as soon as there is no longer any risk of potential prejudice to another investigation or disciplinary matter from publication of the Disciplinary Order.

11.5 Retention and Archiving of Disciplinary Order

(1) A Disciplinary Order setting out a restriction or suspension of a Registrant's registration or, if the Registrant is a Registrant Firm, a restriction or suspension of a Registrant Firm's registration and Permit to Practice, must remain posted on a public website maintained by EGBC for the course of the restriction or suspension, and then must be moved to an archive section of a public website maintained by EGBC.

(2) A Disciplinary Order setting out the cancellation of an individual Registrant's registration will remain permanently posted on a public website maintained by EGBC.

(3) Despite subsection (2), upon receiving notice of the death of a former individual Registrant subject to a Disciplinary Order setting out the cancellation of the individual Registrant's registration, EGBC must move the Disciplinary Order to a permanent archive section of a public website maintained by EGBC.

(4) A Disciplinary Order setting out a cancellation of a Registrant Firm's registration and Permit to Practice must remain permanently posted on a public website maintained by EGBC.

11.6 Publication of Dismissed Citations

(1) If the Discipline Hearing Panel dismisses all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], EGBC must publish the reasons for the decision on a public website maintained by EGBC within 30 days of the date of the decision.

(2) Despite subsection (1), prior to publishing the reasons for a decision dismissing all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], the Discipline Hearing Panel may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of

(a) a person other than the Registrant subject to discipline, or

(b) the subject Registrant, unless the Registrant makes a request that the information be published.

12 Transitional Provisions

12.1 Repeal of Bylaws Previously in Force

(1) All of the bylaws of EGBC previously in force are repealed when these Bylaws come into force.

Schedule A – Code of Ethics

(1) A registrant must adhere to the following Code of Ethics:

Registrants must act at all times with fairness, courtesy and good faith toward all persons with whom the registrant has professional dealings, and in accordance with the public interest. Registrants must uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, registrants must:

1. hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace;

2. practice only in those fields where training and ability make the registrant professionally competent;

3. have regard for the common law and any applicable enactments, federal enactments or enactments of another province;

4. have regard for applicable standards, policies, plans and practices established by the government or EGBC;

5. maintain competence in relevant specializations, including advances in the regulated practice and relevant science;

6. provide accurate information in respect of qualifications and experience;

7. provide professional opinions that distinguish between facts, assumptions and opinions;

8. avoid situations and circumstances in which there is a real or perceived conflict of interest and ensure conflicts of interest, including perceived conflicts of interest, are properly disclosed and necessary measures are taken so a conflict of interest does not bias decisions or recommendations;

9. report to EGBC and, if applicable, any other appropriate authority, if the registrant, on reasonable and probable grounds, believes that:

    a. the continued practice of a regulated practice by another registrant or other person, including firms and employers, might pose a risk of significant harm to the environment or to the health or safety of the public or a group of people; or

    b. a registrant or another individual has made decisions or engaged in practices which may be illegal or unethical;

10. present clearly to employers and clients the possible consequences if professional decisions or judgments are overruled or disregarded;

11. clearly identify each registrant who has contributed professional work, including recommendations, reports, statements or opinions;

12. undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession; and

13. conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment.

Schedule B – Credentials and Discipline Hearing Procedure

1.1 Definitions

(1) In this Schedule,

"Applicant" means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

"Decision Maker" means

(a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

"Discipline Committee" means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

"**Discipline Hearing Panel**" means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair or vice chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

"EGBC" means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as 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 [*Definition*].

"PGA" means the Professional Governance Act, S.B.C. 2018, c. 47.

"Proceeding" means a motion, application, pre-hearing conference, or hearing.

"Registrar" means the individual appointed by the Council as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

"Respondent" means the same as defined in section 1(1) of the PGA [De*finitions and interpretation*].

1.2 Application of this Schedule

(1) The procedural rules in this Schedule apply only to

(a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and

(b) a discipline hearing held by a Discipline Hearing Panel pursuant to section 10.7 of the Bylaws [*Discipline Hearings*],

unless otherwise ordered by the respective Decision Maker.

1.3 Parties and Representation

(1) The parties to a hearing are

(a) the Applicant/Respondent, and

(b) EGBC.

(2) A Registrant Firm must be represented in a Proceeding by an Individual With Authority or other individual who is duly authorized to make submissions and legally binding decisions on behalf of the Registrant Firm, and must provide notice to EGBC with the name and contact information for the representative, except where represented by legal counsel pursuant to subsections (4) and (5).

(3) After receiving written notice including the contact information of a representative designated pursuant to subsection (2), any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the individual designated to represent the Registrant Firm pursuant to subsection (2), except where the Registrant Firm is represented by legal counsel pursuant to subsections (4) and (5).

(4) The Applicant/Respondent and EGBC may be represented by legal counsel in a Proceeding.

(5) If the Applicant/Respondent is represented by legal counsel in a Proceeding,

(a) the Applicant/Respondent must provide EGBC with written notice of the name and contact information of the Applicant's/Respondent's legal counsel, and

(b) after receiving written notice of the name and contact information of the Applicant's/Respondent's legal counsel, any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the Applicant's/Respondent's legal counsel which will constitute delivery to the Applicant/Respondent.

(6) If the legal counsel for the Applicant/Respondent withdraws as legal counsel, EGBC is entitled to use the personal and unique email address of the Applicant/Respondent, or if the Applicant/Respondent is a Registrant Firm, the contact information for the individual designated to represent the Registrant Firm pursuant to subsection (2), as the address for delivery for any information or documents to the Applicant/Respondent, unless the withdrawing legal counsel or the Applicant/Respondent specify a different email address for delivery.

(7) The Decision Maker may retain legal counsel or other assistance in conducting a Proceeding.

1.4 Combining Proceedings

(1) If two or more Proceedings before the Discipline Committee involve

(a) the same Registrant, or

(b) the same or similar questions of fact, law, or policy,

the Discipline Committee may, without the consent of the parties, combine the Proceedings or any part of them or hear the Proceedings at the same time.

1.5 Disclosure and Evidence

(1) Unless otherwise agreed by the parties or ordered by the Decision Maker, EGBC must make disclosure to the Applicant/Respondent in the following manner:

(a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 60 days prior to the commencement of a hearing;

(b) all relevant written or documentary evidence at least 30 days prior to the commencement of a hearing;

(c) a list of the witnesses that EGBC expects to call at least 30 days prior to the commencement of the hearing;

(d) will-say statements of the witnesses that EGBC expects to call at least 15 days prior to the commencement of a hearing.

(2) Unless otherwise agreed by the parties or ordered by the Decision Maker, the Applicant/Respondent must provide the following to EGBC:

(a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 30 days prior to the commencement of a hearing;

(b) all written or documentary evidence on which the Applicant/Respondent intends to introduce at the hearing that has not already been disclosed by EGBC, at least 15 days prior to the commencement of a hearing;

(c) a list of the witnesses that the Applicant/Respondent expects to call at least 15 days prior to the commencement of a hearing;

(d) will-say statements of the witnesses that the Applicant/Respondent expects to call at least 7 days prior to the commencement of a hearing.

(3) A failure to comply with a timeline in subsection (1) or (2) does not make the document or evidence inadmissible, subject to the Decision Maker's obligation to ensure procedural fairness.

1.6 Pre-Hearing Conference

(1) The Decision Maker may convene a pre-hearing conference, either on its own motion or on the motion of a party made with written notice to the other party.

(2) The Decision Maker must, in consultation with the parties, identify and provide written notice of the date, time, and location of the pre-hearing conference, including whether the pre-hearing conference will be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b) and (c).

(3) The Decision Maker may determine any procedural matter at a pre-hearing conference that will foster the fair, just, and timely disposition of the hearing.

(4) The purposes of a pre-hearing conference include the following:

(a) identifying, simplifying, or narrowing the issues in dispute;

(b) resolving matters of procedure or evidence that can fairly be addressed prior to a hearing, either on the motion of a party or on the Decision Maker's own motion;

(c) scheduling the time and place of the hearing, including determining whether the hearing will be conducted in person, by Electronic Means, in writing, or by any combination thereof;

(d) identifying admissions or facts agreed upon by the parties;

(e) deciding upon applications made to vary any of the timelines set out in section 1.5(1) and (2) of this Schedule [*Disclosure and Evidence*];

(f) determining the matters set out in section 1.10(6) and (7) of this Schedule [*Witnesses*];

(g) otherwise setting timelines for the orderly conduct of the Proceeding, including pre-hearing steps;

(h) setting time limits, if appropriate, on

(i) the presentation of evidence,

(ii) the examination and cross-examination of witnesses, and

(iii) the presentation of opening and closing submissions;

(i) taking any steps necessary to ensure the best interests of witnesses are protected;

(j) determining the estimated duration of the hearing;

(k) resolving any other matter that may assist in the fair, just, and timely disposition of the hearing.

(5) A Decision Maker may direct that a hearing be conducted in writing pursuant to subsection (4)(c) if the Decision Maker is satisfied that:

(a) the Decision Maker can find the necessary facts to come to its decision based on the written record, despite any potential conflicts in the evidence; and,

(b) the Decision Maker making a decision on the basis of written submissions would not result in unfairness to any party.

(6) Submissions made by the parties at a pre-hearing conference are not admissible as evidence in a hearing.

1.7 Motions

(1) A motion is an application to the Decision Maker for an interlocutory order.

(2) All motions must be heard at a scheduled pre-hearing conference, unless otherwise ordered by the Decision Maker.

(3) A motion must

(a) be made in writing,

(b) set out the grounds for the motion,

(c) set out the relief requested, and

(d) be accompanied by any evidence to be relied upon.

(4) The party bringing the motion must deliver the motion and any accompanying evidence to the Decision Maker and the other party at least 7 business days prior to the date set for the hearing of the motion.

(5) The party responding to the motion may prepare a reply to the motion, which must be

(a) made in writing,

(b) set out the position of the party responding to the motion and the grounds for that position, and

(c) be accompanied by any evidence to be relied upon.

(6) The party responding to the motion must deliver the reply to the motion and any accompanying evidence to the Decision Maker and the other party at least 2 business days prior to the date set for the hearing of the motion.

(7) The Decision Maker may allow or require oral submissions from the parties in respect of the motion.

1.8 Adjournments

(1) A party may apply in writing to the Decision Maker for an adjournment of a hearing.

(2) An application for an adjournment must comply with the rules in section 1.7 of this Schedule [*Motions*], unless the Decision Maker is satisfied that special circumstances exist.

(3) In considering an application for an adjournment, the Decision Maker may consider one or more of the following:

(a) the reason for the adjournment;

(b) whether the adjournment would cause unreasonable delay;

(c) the impact on the parties that would result from granting or refusing the adjournment;

(d) the public interest.

(4) The Decision Maker may

(a) grant an adjournment,

(b) grant an adjournment on terms or with conditions, or

(c) refuse to grant an adjournment.

1.9 Hearing

(1) As directed by the Decision Maker, a hearing will be conducted

(a) in writing,

(b) in person,

(c) by Electronic Means, or

(d) in any combination of (a), (b) and (c).

(2) If a hearing has not yet been scheduled, the Decision Maker must schedule a hearing and provide written notice to the parties of the date(s), time(s), and location(s) or method(s) of the hearing.

(3) A hearing must be open to the public, unless the Decision Maker determines it would be appropriate to hold some or all of the hearing in private.

(4) A court reporter must keep a record of the hearing.

(5) A person attending a hearing must not record any part of the hearing without the consent of the Decision Maker.

(6) The Decision Maker may determine the procedures to be followed at a hearing, consistent with the principles of procedural fairness.

(7) In a discipline hearing, both EGBC and the Respondent may

(a) present evidence,

(b) reply to evidence,

(c) call witnesses,

(d) cross-examine the opposing party's witnesses,

(e) re-examine witnesses,

(f) make submissions, and

(g) reply to the opposing party's submissions.

(8) A party to a Proceeding must not put a document to a witness in cross-examination without having provided reasonable disclosure of the document to the opposing party in advance.

(9) The rules of evidence must not be strictly applied, subject to the Decision Maker's obligation to ensure procedural fairness.

(10) Nothing is admissible as evidence in a Proceeding that would be inadmissible in a court of law by reason of any privilege.

(11) The Decision Maker may place reasonable limits on the length of a party's submissions in a hearing.

(12) A party must not present new evidence in the party's closing submissions.

(13) In a discipline hearing, the Discipline Hearing Panel must not consider the questions of penalty or costs until the Discipline Hearing Panel has rendered a decision on the allegations in the citation.

(14) In a credentials hearing, the Registrar must not impose conditions on the ability of the Applicant to re-apply for registration without giving the Applicant the opportunity to respond to any proposed conditions.

1.10 Witnesses

(1) Parties are responsible for arranging the attendance of their own witnesses.

(2) Any witnesses testifying at a hearing must give an oath or affirmation before testifying, if competent to do so.

(3) The Decision Maker may ask questions of any witnesses.

(4) A Witness must not see or hear the testimony of other witnesses prior to giving testimony at a hearing, unless the witness is also a party to the hearing or is an expert whom the Decision Maker has ruled may be present for the testimony of an opposing party's expert.

(5) In a Proceeding involving a Registrant Firm, for the purpose of subsection (4), a witness who is an Individual With Authority or individual employed by or under contract with the Registrant Firm, other than the individual designated to represent the Registrant Firm in the Proceeding pursuant to section 1.3(2) of this Schedule [*Parties and Representation*], is not considered to be a party to the hearing and is subject to the restrictions on attending during witness testimony as set out in subsection (4).

(6) If the Decision Maker makes an order pursuant to section 34(3)(a) of the *Administrative Tribunals Act*, S.B.C. 2003, c. 45, at the request of EGBC or otherwise, to require the Respondent, or in the case of a Registrant Firm Respondent, any Individual With Authority or individual employed by or under contract with the Registrant Firm, to attend a discipline hearing for the purpose of giving evidence, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

(7) If the Supreme Court makes an order pursuant to section 80(2) of the PGA [*Witnesses*], on the motion of EGBC or otherwise, that a subpoena be issued to compel the attendance of the Respondent, or in the case of a Registrant Firm Respondent, an Individual With Authority or individual employed by or under contract with the Registrant Firm, at a discipline hearing, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

1.11 Decisions

(1) A Decision Maker is not bound by previous decisions of EGBC.

(2) A Decision Maker must give written reasons for their decision.

Schedule C – Fees

[amended 2021-12-15]

1.1 Fees for Individual Registrants

Fee Description	Amount
APPLICATION FEES	
Application fee for Trainee (EIT/ GIT) Applicant	
a. who is an academically qualified EIT, GIT, MIT, ing jr, géo jr, or CPI in other Canadian province/territory and is applying for the same designation as they hold in the other province or territory	**$0.00**
b. who applies within 12 months of graduation from an engineering or geoscience post-secondary program	**$0.00**
c. who applies more than 12 months after graduation from an engineering or geoscience post-secondary program	**$475.00**
Application fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. First time Applicant not licensed or registered in another Canadian province/territory	**$475.00**
b. Who holds an equivalent licence or registration in another Canadian province/territory	**$250.00**
c. Application for Minor Change to authorized area of Reserved Practice	**$200.00**
d. Application for Major Change to authorized area of Reserved Practice	**$400.00**
Application fee for professional engineer/ professional geoscience Applicant	
a. First time Applicant not registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	**$475.00**
b. Applicant who is registered with another registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	**$250.00**
c. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and whose EIT/GIT application fee was waived	**$325.00**
d. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and who paid an application fee for EIT/GIT application	**$0.00**
Application fee for designated structural engineer Applicant	**$500.00**
Application fee for reinstatement as a Professional Registrant	
a. within 6 months of resignation, removal or conversion to non-practising registration	**$50.00**

Fee Description	Amount
b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration	**$100.00**
c. over 18 months after resignation, removal or conversion to non-practising registration	**$300.00**
Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant	**$50.00**
EXAMINATION FEES	
Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant	
a. Per Examination	**$360.00**
b. Defer Examination to a subsequent session	**$220.00**
c. Request Examination Re-read per Examination	**$200.00**
Examination fees for designated structural engineer Applicant	
a. BC Codes and Practices Examination	**$500.00**
b. Institution of Structural Engineers Chartered Membership Examination	**$1,000.00**
Examination fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. Per Examination	**$360.00**
b. Defer Examination to a subsequent session	**$220.00**
c. Request Examination Re-read per Examination	**$200.00**
Professional Practice Examination fee for all applicable Applicants or Registrants	
a. Multiple Choice and Essay sections	**$260.00**
b. [Repealed 2021-04-23]	
INTERVIEW FEES	
Interview fee for all applicable Applicants	
a. In-person interview at EGBC office	**$0.00**
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	**$ 200.00**
c. Remote Interview by Videoconference	**$200.00**
Interview fee for reinstatement as a Professional Registrant	
a. In-person interview at EGBC office	**$0.00**
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	**$200.00**

Fee Description	Amount
c. Remote Interview by Videoconference	**$200.00**
COURSE FEES	
Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants	**$275.00**
Course fee for Working in Canada Seminar - Per unit - Four-unit Seminar	 **$50.00** **$200.00**
REGISTRATION & DESIGNATION FEES	
Registration fee for registration as an individual Registrant (other than a Trainee)	**$270.00**
Annual fee for designation as a designated structural engineer	**$300.00**
ANNUAL FEES	
Annual fee 2021	
Trainee (EIT/GIT)	
a. Full Fee	**$276.00**
b. Reduced Fee for Hardship	**$138.00**
c. Medically unable to work	**$0.00**
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	**$450.00**
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	**$225.00**
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	**$418.62**
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	**$209.31**
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	**$225.00**
b. Professional Licensee Engineering/Professional Licensee Geoscience	**$209.31**
c. Registrant medically unable to work (non-practising)	**$0.00**
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated annual fee**
Annual Fee 2022	
Trainee (EIT/GIT)	
a. Full Fee	**$276.00**

Fee Description	Amount
b. Reduced Fee for Hardship	**$138.00**
c. Medically unable to work	**$0.00**
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	**$460.00**
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	**$230.00**
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	**$418.00**
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	**$209.00**
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	**$115.00**
b. Professional Licensee Engineering/Professional Licensee Geoscience	**$104.50**
c. Registrant medically unable to work (non-practising)	**$0.00**
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated annual fee**
REPLACEMENT / ADDITIONAL FEES	
Additional Manual Seal	
a. 30 mm Rubber Stamp	**$30.00**
b. 30 mm Self Inking Stamp (black ink unless specified)	**$50.00**
c. 50 mm Rubber Stamp	**$35.00**
d. 50 mm Self Inking Stamp (black ink unless specified)	**$55.00**
e. Long Reach Seal	**$85.00**
f. Professional Licensee Rubber Stamp	**$40.00**
g. Professional Licensee Self Inking Stamp	**$50.00**
Rush Order Fee for Stamp Order	**$20.00**
Additional certificate of registration	**$25.00**
Rush Order Fee for Certificate Order	**$20.00**
LATE FEES	
Late fee for failure to pay annual fee	**15% of Annual fee for Registration category**

Fee Description	Amount
Late fee for failure to pay a special assessment	**15% of Special assessment fee**
Late reporting fee for: a. Failure to provide certain information published on the register or personal and unique email address b. Failure to submit a completed CEP Declaration	**2021 only: $0** **2022 onwards: $100.00**
Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30	**$50.00**
Late completion fee for failure to complete CE plan, CE hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)	**$200.00**
RECONSIDERATION AND REVIEW ON THE RECORD FEES	
Reconsideration fee	**$150.00**
Review on the record fee	**$500.00**

1.2 Fees for Registrant Firms

Fee Description	Amount
APPLICATION FEE	
Application fee for Registration as a Registrant Firm	**$350.00**
ANNUAL FEES	
Annual fee for Registrant Firm	
a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:	**$250.00**
b. Registrant Firms with more than one Professional Registrant employed by or under contract with the Registrant Firm, or Registrant Firms that are sole practitioners with more than 2 Trainees employed by or under contract with the Registrant Firm:	**$500*SQRT(n), where n = # of Professional Registrants and Trainees, but does not include non-practising individual Registrants employed by or under contract with the Registrant Firm.**
Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle	**Prorated, based on annual fee formula.**
[Repealed 2021-06-25]	
SPECIAL ASSESSMENTS	
Special assessments (if any)	
LATE FEES	
Late fee for failure to pay annual fee	**15% of Annual Fee of each category above**
Late fee for failure to pay a special assessment	**15% of special assessment**
Late reporting fee for failure to provide: a. Certain information published on the register b. Personal and unique email addresses for all Responsible Officers and Responsible Registrants	**$100.00**
Late completion fee for Regulation of Firms Training Program (for each Responsible Registrant who completes the Program late)	**$200.00**

Fee Description	Amount
REVIEW ON THE RECORD FEE	
Review on the record fee	**$500.00**

Schedule D – Responsible Registrant Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as a Responsible Registrant of <Name of Applicant Firm or Registrant Firm> (the "Registrant Firm"), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.

2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Registrants set out therein.

3. I am submitting this declaration for the purpose of registering as a Responsible Registrant for the Registrant Firm or proposed Registrant Firm indicated on this declaration. I agree to act as Responsible Registrant for the Registrant Firm, including undertaking the responsibilities of a Responsible Registrant as set out in the Bylaws, guidelines, standards, and policies of EGBC.

4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.

5. I am registered with EGBC as a Professional Registrant In Good Standing.

6. I will notify EGBC if I am currently, or become in the future, the subject of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

7. I understand and acknowledge that:

    a. the Regulated Practice carried out by the Registrant Firm, including by any individual operating under the Registrant Firm's Permit to Practice, must be reviewed and Authenticated in accordance with the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

    b. I remain fully accountable on behalf of the Registrant Firm for ensuring that, within the areas of practice that I have been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], the Registrant Firm conforms to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

c. the Registrant Firm must develop and enforce a Professional Practice Management Plan to be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;

d. the Professional Practice Management Plan must conform to the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*] and any additional requirements set out in the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

e. the Registrant Firm must develop and enforce quality management policies and procedures applicable to the Registrant Firm and all individuals who are operating under the Registrant Firm's Permit to Practice;

f. it is my responsibility to ensure that the quality management policies and procedures related to the areas of practice to which I have been designated pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*] conform to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

g. a copy of the Professional Practice Management Plan must be provided to all individuals operating under the Registrant Firm's Permit to Practice, and the Registrant Firm must take reasonable steps to ensure that regular orientation and training is provided to all individuals operating under the Registrant Firm's Permit to Practice regarding the contents and implementation of the Professional Practice Management Plan;

h. the Registrant Firm must ensure that all individuals operating under the Registrant Firm's Permit to Practice adhere to the Registrant Firm's Professional Practice Management Plan;

i. the details of the quality management policies and procedures of the Registrant Firm must be documented in the Professional Practice Management Plan and updated as necessary; and

j. if EGBC is conducting an audit, practice review, investigation, or disciplinary proceeding in relation to the Registrant Firm, as a Responsible Registrant it is my responsibility to: facilitate requests for documents, information, site visits, and interviews; respond to communications; and assist with any other items or arrangements required or requested by EGBC.

8. I will respond to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.

9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and will take all reasonable steps to ensure that the information is updated as needed and in accordance with the requirements set out in the PGA and Bylaws.

10. I will participate in the mandatory Regulation of Firms Training Program provided by EGBC, either:

    a. If the Registrant Firm does not yet have a Permit to Practice, within 12 months of the Registrant Firm being issued a Permit to Practice by EGBC; or

    b. If the Registrant Firm has already been issued a Permit to Practice by EGBC at any time, within 3 months of submitting this declaration to EGBC;

    AND, in either case, at minimum every 5 years thereafter.

11. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as a Responsible Registrant in association with the Registrant Firm's Permit to Practice with EGBC.

Schedule E – Responsible Officer Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as the Responsible Officer of <Name of Applicant Firm or Registrant Firm> (the "Registrant Firm"), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.

2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Officers set out therein.

3. I am submitting this declaration for the purpose of registering as the Responsible Officer of the Registrant Firm indicated on this declaration. I further confirm that I possess the necessary authority to legally bind the Registrant Firm in relation to all matters falling under the PGA and Bylaws of EGBC, and I agree to undertake the responsibilities of a Responsible Officer set out in the Bylaws, guidelines, standards, and policies of EGBC.

4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.

5. IF A PROFESSIONAL REGISTRANT OF EGBC: I am registered with EGBC as a Professional Registrant In Good Standing. I will notify EGBC if I am currently, or become the subject in the future, of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

6. I will notify EGBC if the Registrant Firm is currently, or becomes in the future, subject to an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction which could result in the Registrant Firm's entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.

7. I understand and acknowledge that:

    a. in order to engage in the Reserved Practice, the Registrant Firm must be registered with EGBC and have at least one Professional Registrant designated to act as the Responsible Registrant for each area of practice engaged in by the Registrant Firm;

b. the Registrant Firm must ensure that the Responsible Registrant(s) have the necessary authority to oversee the Regulated Practice within the areas of practice that each Responsible Registrant has been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], and to take the steps necessary to ensure that the Registrant Firm complies with the requirements in the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;

c. the Regulated Practice carried out by individuals operating under the Registrant Firm's Permit to Practice must conform to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

d. the Registrant Firm must develop and enforce a Professional Practice Management Plan that conforms with the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*], including setting out quality management policies and procedures applicable to the Regulated Practice carried out by the Registrant Firm;

e. the Registrant Firm must have its Professional Practice Management Plan in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;

f. I must document my approval of the Professional Practice Management Plan on behalf of the Registrant Firm upon its implementation, as well as after each annual review conducted pursuant to section 7.7.3(7)(a) and (b) of the Bylaws [*Professional Practice Management Plan*]; and

g. the Registrant Firm is obligated to co-operate completely with the audit, practice review, investigation, and discipline processes conducted by EGBC, including providing all requested documents and information, facilitating site visits and interviews, and managing communications with EGBC in a timely manner.

8. I will reply to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.

9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and I understand that the Registrant Firm must:

   a. provide EGBC with up-to-date and accurate contact information for myself, the Registrant Firm, and all Responsible Registrants of the Registrant Firm;

   b. ensure that the contact information that has been provided to EGBC is updated as needed, in accordance with the requirements set out in the Bylaws; and

c. provide up-to-date information regarding all Professional Registrants operating under the Registrant Firm's Permit to Practice, to be updated as needed in accordance with the requirements set out in the Bylaws.

10. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as the Registrant Firm's Responsible Officer in association with the Registrant Firm's Permit to Practice.

11. I will provide notice to EGBC within 15 days of the occurrence of any of the following situations, as required pursuant to section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*]:

    a. there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm; or

    b. the Registrant Firm

        i. becomes the subject of an application for a bankruptcy order,

        ii. makes an assignment for the general benefit of creditors, or

        iii. makes or becomes the subject of a Division I or Division II proposal,

12. I will contact EGBC should the Registrant Firm wish to cancel its Permit to Practice and will ensure that the Registrant Firm abides by any conditions or requirements as may be directed by EGBC at that time.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

DATE	September 9, 2022
SUBJECT	Proposed Bylaw Amendments for the Council meeting of September 9, 2022

PROPOSED AMENDMENTS – SUBSTANTIVE CHANGES

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
2.2(5)-(9) [Chairs, Vice-Chairs, and Members of Committee]	Section 32(6) of the PGA allows Council to make Bylaws with respect to the appointment and termination of Committee members. The following amendments to section 2.2 concern the composition of the statutory committees and the appointment and termination of committee members.	
2.2(5)	Adding a new subsection to formally establish that Council appoints members of Committees. This is not stated explicitly in our current Bylaws.	(5) The Council must appoint the members of each Committee.
2.2(6) and (7)	Repeal subsection (5). Neither the PGA nor the current Bylaws require the appointment of Registrants on the Committees. A new bylaw at subsection (6) requires that the majority of Committee members on the Regulatory Committees must be Professional Registrants (i.e. with the right to engage in Reserved Practice). This change also provides flexibility to allow for non-practising/retired Registrants. If needed, the TOR for each Committee can establish a preference (but not a rule) to appoint only Professional Registrants. New subsection (7) allows Regulatory Committees to function without a majority of Professional Registrants for up to one year to allow sufficient time for new committee member appointments by Council.	~~(5) A Registrant without the ability to engage in Reserved Practice pursuant to the PGA and Bylaws is not eligible for appointment to any Committee.~~ (6) For each Regulatory Committee, the Council must appoint Professional Registrants to constitute a majority of the Regulatory Committee members. (7) If the composition of a Regulatory Committee changes such that Professional Registrants no longer constitute a majority of Regulatory Committee members, the Regulatory Committee may continue to operate and carry out its business without a majority of Professional Registrants for up to one year.
2.2(8)	Repeal subsection (6) which requires the removal of [Registrant] Committee members who are no longer “In Good Standing.”	~~(6) A member, a vice-chair, or a chair of a committee who ceases to be a Registrant In Good Standing is no longer eligible to serve on the Committee and must be removed from the Committee by Council.~~

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
	New subsection (8) establishes the automatic removal of Committee members who have been suspended or cancelled to avoid any delays in applying to Council to terminate the appointment of the committee member. Changing the terminology from “no longer In Good Standing” (i.e., Registrants who failed to pay their fees or were suspended) to “suspended or cancelled” is more direct as it lists the causes for the removal rather than the failure to be “In Good Standing” which requires cross-referencing with the definition.	(8) A member, a vice-chair, or a chair of a Committee who is an individual Registrant and whose registration has been suspended or cancelled is terminated from the Committee effective the start date of the suspension or cancellation.
2.2(9)	Subsection (7) is renumbered to (9) given the other amendments to section 2.2. A small amendment clarifies that Council may remove Committee members during their term of office.	(~~7~~9) A Committee member serves on a Committee at the pleasure of the Council and may be removed by the Council from a Committee before the expiry of their term of office without prior notice to the Committee member.
2.5(1)-(4) Executive Director, Registrar, and Deputy Registrar(s)	The following amendments to section 2.5 concern the relationship between Council, the Executive Director, the Registrar, and any Deputy Registrar(s).	
2.5(1)	Section 32(1) of the PGA allows Council to appoint an Executive Director. While the Bylaws impose a number of responsibilities on the Executive Director, there is currently no mandatory appointment of an Executive Director.	(1) The Council must appoint an Executive Director pursuant to section 32(1)(a) of the PGA [*Officers and committees*].
2.5(2)	Providing the Executive Director (CEO) with the power to terminate the Registrar. This is to provide greater clarity on the decision-making authority, essentially establishing that the Registrar is accountable to the CEO. Policy and job descriptions will further define the roles of and the relationship between the CEO and the Registrar.	(2) The Council authorizes the Executive Director to exercise the Council’s power to terminate the appointment of the Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].
2.5(3)	Providing the Executive Director (CEO) with the powers to appoint and terminate any Deputy Registrar(s).	(3) The Council authorizes the Executive Director to exercise the Council’s powers to appoint any number of Deputy Registrars and terminate the appointment of a Deputy Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].
2.5(4)	Consequential amendment to subsection (4) given that the Deputy Registrar(s) are now to be appointed by the CEO.	(4) Pursuant to section 31(2) of the PGA [*Registrar and register for regulatory body*] the Council authorizes any Deputy Registrar(s) ~~appointed by Council~~ to exercise any of the powers and perform any of the duties of the Registrar set out in the Bylaws.

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
5.6 [Designated Structural Engineer]	The following amendment concerns the structural engineering designation.	
5.6.1(5)(a)	This amendment is to adjust the practicing hours requirement for structural engineers to match the schedule of general CE program and make it more reasonable for people on parental, medical and compassionate leaves.	(5) To maintain accreditation as a designated structural engineer, a designated structural engineer must (a) actively practise structural engineering for at least 2,250 hours over each Three-Year Rolling Period ~~750 hours each year~~ and provide confirmation of such to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year, […]

PROPOSED AMENDMENTS – MINOR CHANGES

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
General Amendments	Fixing many small typographical errors and formatting errors. A few examples are provided.	Fixing typographical error. Example: Definition of “Disciplinary Order”: […] section 9.7.2 of the Bb~~b~~ylaws […] Fixing formatting style for consistency (e.g. italicized section titles in cross-references). Example: Section 5.2(3)(b): […] section 32(5)(b) [*Officers and committees*] Adding “of the Bylaws” to complete cross-sectional references for style consistency in multiple sections. Example: 5.6(4)(b): […] specified in section 6.1(1) of the Bylaws […] Fixing the terminology of cross-references in multiple sections for consistency: ~~paragraph~~ subsection Adding a missing PGA reference: 5.12.1(3)(c)(ii): section 83 of the PGA [*If registration of firm as registrant suspended or cancelled*] […] Adjusting references for style consistency. Example: Section 5.24(3) […] sections 7.7.3(1) and ~~7.7.3~~(2) of the Bylaws […]
General Amendments	Adding parenthetical title references in each instance where there is a cross-reference to another section of the Bylaws, in the same format as the PGA references.	Example: 7.3.6 (5) Documented independent review(s) of a professional activity or work must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standard for Checks*].

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
1.1 [Definitions]	Adding a definition for "Regulatory Committee" for the purpose of distinguishing the Nomination Committee from the other statutory committees with regulatory functions. This is to exempt the Nomination Committee from the new requirement at section 2.2(6) of the Bylaws regarding the composition of committees (see above).	**"Regulatory Committee"** means the Credentials Committee, the Audit and Practice Review Committee, Investigation Committee, or Discipline Committee.
1.1 [Definitions]	Reordering the definitions of **Practice of Professional Engineering** and **Practice of Professional Geoscience** to ensure that all defined terms appear in alphabetical order.	*No changes to the definitions, just fixing the alphabetizing.*
7.3(2) [Standards of Competence - Quality Management Requirements]	Fixing a typographical / reference error.	(2) A Registrant must comply with the standards of competence set out in sections 7.3.1 to 7.3.~~7~~8 of the Bylaws at all times while engaged in the Regulated Practice
7.3.6(3)(b) [Standard for Independent Review of High-Risk Professional Activities and Work]	Removing a wrong reference -- there is no subsection (iv).	(b) record their rationale for the determinations made pursuant to subsections (a)(i), (ii), and (iii)~~ and (iv)~~;
7.3.6(4) [Standard for Independent Review of High-Risk Professional Activities and Work]	Fixing references.	(4) Despite subsection (3)~~(c)~~(a)(iii), EGBC may identify specific professional activities or work for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record
7.3.6(6) [Standard for Independent Review of High-Risk Professional Activities and Work]	Fixing references. Brief explanation: Subsection (6) should also refer to subsection (2)(b) which establishes independent review(s) for activities or work that have not been identified as high-risk but have been identified by EGBC as requiring independent review. Furthermore, subsection (6) also refers to subsection (2) as the subsection that establishes an exemption for the independent reviews. It is more precise to refer to (2)(a).	(6) If applicable pursuant to subsection (1) or (2)(b) and not exempted pursuant to subsection (2)(a), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of a professional activity or work.

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
7.3.7(15)(b) [Standard for Issuance of Manual Seal, Authenticating Documents, and Use of Permit to Practice Number]	Fixing a typographical error. Subsection 7.3.7(15)(b) mistakenly refers to the "Professional Practice Management Plan" as the "Permit to Practice Management Plan".	(15) (b) an individual employed by or under contract with the Registrant Firm who is authorized to apply the Registrant Firm's Permit to Practice Number in accordance with the Registrant Firm's ~~Permit to~~ Professional Practice Management Plan.
7.3.8 [Standard for Delegation and Direct Supervision]	Adding "Direct Supervision" to subsection (1). A Professional Registrant who Delegates work or decisions must have Procedures that address both Delegation and Direct Supervision (as defined in the Bylaws).	(1) A Professional Registrant who will Delegate work or decisions related to the Regulated Practice to a Subordinate must establish, maintain, and follow documented procedures for Delegation and Direct Supervision in accordance with the requirements set out in this section of the Bylaws.
7.7.1(2)(a) [Regulation of Firms Program]	When a Registrant Firm names a new Responsible Registrant, subsection (2)(a) starts a three-month period in which the new Responsible Registrant must complete the Regulation of Firms Training Program. The proposed amendment starts the period when the Responsible Registrant submits the Responsible Registrant declaration.	(2) Each Responsible Registrant designated by a Registrant Firm after the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within (a) 3 months of the date that ~~the written notice of~~ the Responsible Registrant's ~~designation~~ declaration is submitted to EGBC, and […]

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.3

DATE	August 1, 2022
REPORT TO	Council for Decision
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy
SUBJECT	Council Remuneration Policy
LINKAGE TO STRATEGIC PLAN	People and Culture - Our talent, tools, and work environment create an engaged organizational culture

Purpose	To consider and approve the proposed Council Remuneration Policy.
Motion	That Council approve the Council Remuneration Policy as presented, replacing existing policy CO-08-103 (Remuneration of Government Appointed Councillors), effective October 15, 2022.

BACKGROUND

In 2021, Engineers and Geoscientists BC Council approved remuneration for all Councillors. The organization's new remuneration policy will apply to elected members of Council, as well as government appointees, and be effective with the start of the 2022/23 Council year.

At its April 23, 2021 meeting, Council approved the following remuneration policy statement:

Engineers and Geoscientists BC provides remuneration to its Council members in order to:

1. Affirm the Councillor's responsibilities and the professional nature of the work that Councillors are expected to perform;
2. Attract and retain qualified individuals to serve as Councillors;
3. Partially compensate Councillors for their time and lost opportunity costs, and be seen as "value received" for value given;
4. Recognize the different levels of time and responsibility associated with president, vice president, immediate past president and Councillor positions, and
5. Recognize an element of public service.

It was determined that Council members would be compensated on a per-meeting basis ($250 for meetings of less than four hours/ $500 for meetings of four hours or more), and that the President will receive an annual retainer of $35,000. This rate will be applicable to elected Councillors, and to Government appointed councillors and apply to mandatory council activities, the annual conference Council satellite events and legislature day. In addition, remuneration would be reviewed every two years.

The Governance Sub-committee reviewed the policy at their meeting on August 9, 2022, and their recommendations have been included in the proposed policy as Appendix A.

DISCUSSION

The proposed policy has been drafted to reflect the remuneration policy statement and reflects prior decisions of Council. The policy details how Councillors (including the President) are compensated for their contributions to Engineers and Geoscientists BC. The policy applies to President, Vice President, Immediate Past President, and Councillor positions and includes the remuneration philosophy, the quantum, and the scope of payment.

The policy also details how remuneration is set and reviewed. While Council is authorized to set their own remuneration, in order to address the inherent conflict in setting compensation amounts, the policy outlines a process to ensure that a clear, fair, reasonable, transparent, and easily administered process is in place.

As the new policy applies to all Councillors, and there is an existing policy on remuneration for Government Appointed Councillors, the existing policy will need to be repealed in order for this policy to take effect.

RECOMMENDATIONS

That Council approves the Council Remuneration Policy, and repeals Council Policy CO-08-103 (Remuneration of Government Appointed Councillors).

MOTION

That Council approve the Council Remuneration Policy as presented, replacing existing policy CO-08-103 (Remuneration of Government Appointed Councillors), effective October 15, 2022.

APPENDIX A – Council Remuneration Policy

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

POLICY

POLICY	Council Remuneration Policy
NUMBER OF POLICY	
DATE OF POLICY	Effective October 15, 2022
APPROVED BY	

POLICY STATEMENT

The Council of Engineers and Geoscientists BC works together to govern the organization, playing an essential role in ensuring the organization fulfills its mandate and lives its values. Individually and collectively, Councillors, both directly elected and those appointed by government, contribute to Engineers and Geoscientists BC at the highest level, and in so doing make an important contribution to the protection of the public and the integrity of the professions of engineering and geoscience in British Columbia.

Engineers and Geoscientists BC aspires to attract qualified individuals and recognizes the considerable time and energy necessary by Councillors in order to fulfill their obligation to oversee the organization and serve the public. Each year, Councillors are required to attend six Council meetings, an orientation session, planning sessions, and a number of workshops. In addition, each Councillor is required to serve on at least one Council Sub-Committee, to travel as necessary and to prepare thoroughly for each meeting. Where possible, in-person attendance at meetings is highly encouraged.

Remuneration is an important component in recognizing the significant time commitment. Remuneration differs from a salary in that Councillors are not *employed* by Engineers and Geoscientists BC, but rather are elected or appointed to the Council.

PURPOSE

This Policy details how Councillors (including the President) are compensated for their contributions to Engineers and Geoscientists BC. This Policy applies to President, Vice President, Immediate Past President and all Councillor positions, including Government Appointed Councillors.

APPLICATION AND SCOPE

REMUNERATION PHILOSOPHY

1. Engineers and Geoscientists BC provides remuneration to its Council members in order to:
2. Affirm the Councillor's responsibilities and the professional nature of the work that Councillors are expected to perform.
3. Attract and retain qualified individuals to serve as Councillors.
4. Partially compensate Councillors for their time and lost opportunity costs and be seen as "value received" for value given.
5. Recognise the different levels of time and responsibility associated with President, Vice President, Immediate Past President and Councillor positions.
6. Recognize an element of public service.
7. Reflect that regardless of how Councillors come to sit on the Council, their role and responsibilities are the same and remuneration should be consistent to Councillors performing similar roles.

CURRENT REMUNERATION

President:

1. The President is entitled to a flat-fee annual retainer consisting of $35,000. This compensates the President for the Council and Sub-Committee meetings they attend, their preparation for Council and Committee meetings, meetings with external parties (e.g., Engineers Canada, Geoscientists Canada, other regulators, etc.), managing Council issues and meetings with the CEO.
2. The President does not receive meeting fees. While the President is paid a flat fee for their contribution, their workloads are expected to vary considerably depending on their level of involvement, Committee memberships, Council role and other factors.

Councillors:

1. All Councillors are entitled to the following fee:

Meeting Fee	
Meetings under 4 hours	$250
Meetings of 4 hours or more	$500

2. Councillors will be paid a meeting fee for attendance at mandatory meetings (regardless of number and format, whether in-person or virtually), orientation and education sessions, and the annual general meeting. Appendix A sets out the activities that are considered mandatory responsibilities of a Councillor and by which a meeting fee is payable. There will be no remuneration for any other activity unless otherwise approved by the President, the CEO or CFAO.
3. The President or the Committee Chair, as the case may be, will have discretion to determine that no meeting fee be payable in relation to a short meeting. In making their determination, the

respective chairs will consider the amount of preparation required and the length of the meeting.

SETTING AND REVIEWING REMUNERATION

Council is authorized to set their own remuneration. Council appreciates that there is an inherent conflict in setting compensation amounts that they will ultimately benefit from. To manage this conflict, the Council has established a comprehensive process to ensure that a clear, fair, reasonable, transparent, and easily administered process is in place.

Council will review its compensation every two years, or earlier if there is a material change to the complexity of the current role profile. As part of the review, the Council may consider whether the:

1. Policy remains aligned with the Council's values around the design of the remuneration scheme.
2. Remuneration philosophy continues to serve the Engineers and Geoscientists BC.

With support from the Director, Corporate Governance & Strategy, the Governance Sub-Committee reviews this policy, as guided by the remuneration philosophy and guiding principles (as set out in Appendix B), as part of the budget cycle of the review year, and provides its recommendations to the Council for approval as part of the operating budget approval process. The Governance Sub-Committee may consider additional questions related to Councillor remuneration, as determined by the Council.

To support the review, the Director, Corporate Governance & Strategy may assist the Governance Sub-Committee by:

1. Identifying and recommending an appropriate list of comparable organizations;
2. Reviewing the current remuneration scheme in light of any shifts in remuneration with Comparable Organizations or Treasury Board Directives and/or any changes to the role profile and providing analysis on the suitability of the quantum against the guiding principles;
3. Making recommendations regarding changes to the level of remuneration payable to Councillors in consideration of operating budgets and financial constraints;
4. Informing and supporting the review as otherwise requested.

The Governance Sub-Committee may make recommendations, providing for remuneration for Councillors participating in different capacities within the Council, including, without limitation, as the President, as chair of a committee of Councillors, and in different situations relating to the work of the Council. To inform and support the Governance Sub-Committee's review, the Governance Sub-Committee may seek independent advice, or take such other steps as it determines appropriate.

PAYMENT OF REMUNERATION

Annual retainer and meeting fees are payable in accordance with the following:

1. Annual retainer is paid quarterly in arrears. No payment form is required.
2. In respect of meeting fees, staff support for the Council and Sub-Committee will be responsible for tracking meeting attendance and submitting a payment form to Finance on a quarterly basis on behalf of the Councillor.

3. Provided the activity is permitted under this Policy, a payment form is required to be completed by a Councillor in order to document any time incurred attending a meeting where minutes, including a record of attendance, are not provided to staff. This payment form requires sign-off from the CFAO.
4. Payments will be made by electronic transfer.
5. The Canada Revenue Agency regulations state that all honoraria payments are considered taxable under the Income Tax Act of Canada and are subject to a T4A slip being issued at each calendar year-end if the total of all payments is more than $500. As a result, Councillors receiving remuneration payments that exceed $500 in a given calendar year will be issued a T4A for the payment(s) and will be asked to provide their SIN number and mailing address to Engineers and Geoscientists BC.

Any questions or issues regarding remuneration and expenses will be referred to the CEO for resolution.

EXPENSES

While travel time is excluded from consideration of meeting length, Engineers and Geoscientists BC also recognizes that Councillors incur travel, meal or entertainment expenses as they carry out their duties during the year.

Councillors are entitled to reimbursement for expenses reasonably incurred resulting from their participation on the Council and certain Committees, pursuant to Engineers and Geoscientists BC's Expense Reimbursement Policy. Expense reimbursements are required to be submitted by the Councillor using the Expense Reimbursement Form.

CROSS REFERENCE

The following related policies may be referred to for more information:

- CO-18-85 Expense Reimbursement

REVIEW DATES

September 9, 2022 – Approved by Council (Insert Policy Number)

APPENDIX A

Appendix A: Remuneration Eligibility By Event[1]

The following table outlines the activity whereby a meeting fee may be claimed by a Councillor:

	Meeting Fee(s)
Meetings	
Council or Sub-Committee meeting[2]	✓
Council or Committee preparation	✗
Council Wednesday teleconference	✗
Council forum meeting	✓
Council forum preparation	✗
Annual conference[3]	✓
Annual General Meeting and	✓
Education and Development	
Councillor orientation	✓
Councillor education	✓
Conferences and Industry Events	
Branch pairings	✗
Branch visits	✗
Branch representative dinner	✗
Branch meeting	✗
Induction ceremonies	✗
Legislature Day	✓

[1] The President is not entitled to meeting fees.
[2] Defined as any Council meeting or Council Committee meeting published in the Council calendar, as approved by the Council annually, or any Council meeting or Council Committee meeting added to the calendar during the course of the year. A Sub-Committee meeting is restricted to the meetings of Executive, Governance and Audit Sub-Committees.
[3] Typically, a three-day event

Appendix B: Guiding Principles

These guiding principles help Engineers and Geoscientists BC to ensure that its decision-making regarding Councillor remuneration is made thoughtfully and holistically.

Guiding Principle(s)	Definition
Attracting Councillors	Remuneration is provided to attract candidates that will bring the required/desired skills and experience to the Council
Public Service	Remuneration amounts takes into account the public service nature of the Councillor role
Reasonable	Remuneration is provided at rates that are comparable to similar organizations within the same industry, or with organizations of similar size and complexity ('Comparable Organizations') . The rates set out in the BC Treasury Board Directive 2/20 Remuneration Guidelines for Appointees to Ministry and Crown Agency Boards may also be taken into consideration as part of a review.
Recognition	Remuneration is set to recognize aspects of the Councillors' contribution or role. To varying degrees, it can recognize the value Councillors bring to the organization, the extensive nature and responsibilities of their role, or the time that they give

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.4

DATE	August 23, 2022
REPORT TO	Council for Decision
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy
SUBJECT	Policy on Statutory Committee Term Lengths
LINKAGE TO STRATEGIC PLAN	People and Culture - Our talent, tools, and work environment create an engaged organizational culture

Purpose	To consider the proposed Policy on Statutory Committee Term Lengths and approve the policy.
Motion	That Council approves the proposed Policy on Statutory Committee Term Lengths.

BACKGROUND

Engineers and Geoscientists BC's Policy on Committee Member Term Length currently stipulates that a term of office shall be two years, with a maximum of two reappointments except when Council deems it appropriate to extend beyond the reappointment terms.

While the intent of the term length policy is to ensure the introduction of new volunteers and new perspectives, the specialized skills, training, and knowledge required for the regulatory committees, along with recruitment challenges have resulted in regular extensions beyond the six-year term limit set out in Policy. The average tenure of a committee member for three of the five Statutory Committees (Audit & Practice Review, Credentials, and Investigation) is beyond the six-year term limit set out in the Policy. The spread of the terms is also significant; ranging from a number of recently appointed individuals to those who have served on a committee for 20+ years.

A high proportion of members with long tenure can be considered a concern. Committee renewal is important to enable new ideas and perspectives, refresh the committee's skills, inject 'new blood' to the committee's discussions and to increase diversity. Beyond that, managing reappointment extension requests can create an administrative burden, both for staff and the Council, taking up time at Council meetings and redirecting staff's time and attention from other matters.

When assessing the approach to revised term lengths, Staff considered whether it would be practical and preferable to enforce the current Term Length policy, or to recognize the challenges inherent in the six-year term limit when recruiting and training committee members, and seek a change.

Chairs and Vice Chairs of the Audit and Practice Review Committee, Credentials, Discipline, and Investigation Committees have had the opportunity to review the recommendations and are broadly supportive of the revisions.

The Governance Subcommittee reviewed the proposed policy at their meeting of 9 August 2022, and their recommended changes have been incorporated into the policy. The Governance Subcommittee recommended that Council approve the proposed policy.

DISCUSSION

With these factors in mind, Staff undertook to draft a Term Length policy that better meets the requirements of the organization. This revised Term Length policy facilitates a structure that enables individuals time to learn and understand their committee role and responsibilities as well as being able to see a return on the investment on training and education invested.

Engineers and Geoscientists BC engaged WATSON Advisors, a governance consultancy, to advise on changes to the Term Length policy. The WATSON report (attached) contained the following recommendations, which have been incorporated into the revised policy:

- **Extending terms from two years to three years**. A three-year term is in line with the practices adopted by market comparables and is consistent with the term limits that applies to Engineers and Geoscientists BC 's Councillors. Extending this period will provide more time for committee members to develop in the role and it may also help mitigate recruitment challenges.

- **Extend total term limits from six years to nine years**. Given that the average tenure of committee members for the Statutory Committees (except for the Nomination Committee) is beyond six years, the term limits already in place are not reflective of current practice. In respect of total term limits, best practice guidelines for boards at public companies specify a maximum tenure of on average 8 – 10 years.

  Given the complexity of work undertaken by Statutory Committees, and the resources involved in recruiting, onboarding and training committee members, extending the total term limit allows for greater specialization and expertise. In addition, a December 2018 report on the governance of the College of Dental Surgeons of BC recognizes the value of experience over the benefits of a fresh perspective. Nine years is neither greater than the limits adopted by Engineers and Geoscientists BC's Council nor of the market comparables considered.

- **Permit members to rejoin the relevant committee following a three-year absence**. Some comparable organizations enable members to rejoin after a period of one year, and similarly, the *Act* enables Councillors to be reappointed to the Council following a break in service of at least three years. The revised policy contains the provision for members to be re-appointed after a nine-year term, provided that the member has observed a 'standdown' period of at least three years.
- **Retain Discretion on re-appointments beyond nine-years.** The revised Term Length policy continues to allow for the Council discretion to extend re-appointments beyond the nine-year limit, where required, or to shorten the standdown period. The benefits gained through the recruitment of new members should be tempered with the understanding that experience often brings wisdom, judgement, and knowledge. Factors such as an individual's performance and commitment in addition to enabling diversity as criteria should be considered as part of evaluating committee reappointments.

To facilitate the implementation of the revised Term Length policy, Staff recommend that the policy is applied to new committee appointments. Current committee members will move onto three-year terms on re-appointment, and dispensation will be sought if that new three-year term takes them beyond the nine-year point. In applying the policy, some discretion will be needed to avoid any significant committee turnover to ensure the work of the committee is not negatively impacted. While there may initially be a number of re-appointments beyond the nine-year point, the number of discretionary requests should gradually diminish as the revised policy comes into effect. WATSON have identified that best practice suggests that committees should not turn over more than a third on an annual basis.

RECOMMENDATION

That Council approve the revised Term Length policy.

MOTION

That Council approves the proposed Policy on Statutory Committee Term Lengths.

APPENDIX A: Policy on Statutory Committee Term Lengths

APPENDIX B: WATSON Report – Engineers and Geoscientists BC Committee Terms Memo

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

POLICY

CONFIDENTIAL

POLICY	Policy on Statutory Committee Term Length
NUMBER OF POLICY	
DATE OF POLICY	
APPROVED BY	Council

BACKGROUND

Pursuant to the Professional Governance Act and Engineers and Geoscientists BC's bylaws, Engineers and Geoscientists BC is required to establish certain statutory committees to enable the Council to carry out its objectives, namely:

- Audit and Practice Review Committee
- Credentials Committee
- Discipline Committee
- Investigation Committee
- Nomination Committee

(Hereinafter, referred to as 'Committees')

At Engineers and Geoscientists BC, the Committees support the Council's work and the organization's regulatory roles in protecting the public interest. The work is primarily concerned with licensing, registering and enrolment of registrants, ensuring the quality of professional competence, adjudicating registrants for misconduct, and supporting the leadership succession of the Council.

A Committee member renewal process is necessary to ensure the Committee is equipped to adapt to changing conditions in the professions, Engineers and Geoscientists BC and the Committee itself. It ensures the Committee benefits from fresh thinking and that all members are making a valuable contribution to helping protect the public.

PURPOSE

The purpose of this policy is to define Committee term lengths and outline the process for renewal of appointments and extension of term lengths.

This policy applies to appointments to Engineers and Geoscientists BC's Statutory Committees.

APPLICATION AND SCOPE

The Terms of Office in the Terms of Reference for Statutory Committees shall be three years normally, with a maximum of two reappointments, except when Council deems it appropriate to extend beyond the reappointment terms. Adopting a maximum of three, three-year terms shall ensure an appropriate balance on Committees between the experienced perspective of long-term members and new perspectives that bring fresh insights.

Following completion of a nine-year term limit, Committee members shall not be considered for re-appointment to the same statutory committee until a three-year 'standdown' period has been observed.

CRITERIA

Engineers and Geoscientists BC acknowledges the value of experience and the need for continuity when circumstances warrant, particularly for Statutory Committees, whose role and tasks require specialized skills, training, and knowledge.

Therefore, the following criteria has been developed to assist Council in determining when it may be appropriate to extend a Committee member's term beyond the nine-year maximum, or to shorten the three-year standdown period. A Committee member's term may be considered for extension beyond nine years, or for the stand-down period to be shortened, where a case can be made that the extension is required to:

1. **Performance** – ensure the Committee has members with a strong attendance record, is engaged with the work of the Committee with a demonstrated interest in the protection of the public interest
2. **Training** - ensure the Committee has enough adequately trained members to perform their regulatory duty
3. **Specialization** - ensure the Committee has members with appropriate specialization to perform their duty
4. **Diversity** – ensure the Committee maintains a composition of talented members with a diverse mix of expertise, experience, skills. For the purposes of Committee composition, diversity includes designation, discipline, region, gender, and ethnicity, including underrepresented groups.
5. **Continuity** – ensure adequate continuity on the Committee and consistency of decisions.

PROCEDURE

1. Terms for each Committee member are tracked by staff and reviewed annually by the Committee Chair as part of overseeing the Committee's succession plan.
2. Committee members that are at the end of their first and second terms shall give notice of their intention for reappointment to the Committee Chair.
3. When a Committee member's term is due to expire, and the Committee member is eligible to be re-appointed for a further term, the Committee Chair will discuss the Committee member's interest in seeking reappointment for a further term guided by the following questions:
    a) What has the Committee member contributed during the current term?
    b) What is required for this Committee going forward?
    c) Does the Committee member have the passion, time, and energy to commit to the next term?
4. An incumbent Committee member will either:
    a) with the support of the Committee Chair, and through staff, request the Council re-appoint their term; or
    b) decide to step down, in which case staff may wish to recruit for other committee members
5. Council reviews the request and confirms or rejects the re-appointment based upon the principle of merit. It is at the sole discretion of the Council to reappoint incumbent members seeking reappointment.
6. In the event the term is beyond the period permitted by this policy, or if there is rationale to seek a reduction in the three-year standdown period, staff will advise the member if they satisfy the criteria, including performance, training, specialization, diversity, and continuity (see above). If the criteria are met, the request will go forward to Council. If criteria are not met, staff will advise the member.
7. All requests for extensions will be discussed in Closed Sessions of Council. Any objections by Council to a proposed Committee member's appointment should be raised during the closed session.
8. Council will decide in Closed Session either to:
    a) approve the appointment in Open Session; or
    b) remove the person's name for the Open Session Appointment List prior to voting.
9. The Closed Minutes will reflect Council's decision above only, i.e., no rationale included.
10. The Open Minutes will reflect only those appointments that were approved.

TRANSITIONAL ARRANGEMENTS

This policy will apply to new appointments and future re-appointments. To facilitate the introduction of three-year terms, and to ensure a healthy and planned turnover that supports continuity as well as supporting a more evenly distribution of appointments, the Council has discretion in applying this policy.

To support Committee performance, Staff will ensure that terms are staggered so that the committee turn-over does not impact on committee operations. Committees should not turn over more than a third of members on an annual basis.

CROSS REFERENCE

CO-18-51: Engineers and Geoscientists BC Appointments

REVIEW DATES

Date: Approved by:

WATSON™
Advisory

Engineers and Geoscientists BC: Statutory Committee Term Limits

May 2022

1. INTRODUCTION & BACKGROUND

WATSON was engaged by Engineers and Geoscientists BC (EGBC) to conduct a review of EGBC's Committee Member Term Length Policy. Among its considerations, the review takes into account practices adopted by market comparables in order to provide recommendations on any necessary changes. The work involved:

- Reviewing relevant EGBC documents (e.g., Policy on Committee Member Term Length (CO-08-44), *Professional Governance Act* (the 'Act'), Statutory Committee rosters, etc.)
- Conducted a market analysis of the approach to term length adopted by six other organizations that are considered to be similar size and scope to EGBC ('Market Comparables'):
    - Three health colleges in British Columbia (*British Columbia College of Nursing Professionals, College of Physicians and Surgeons BC, College of Chiropractors of BC*)
    - Two professional associations in British Columbia (*Architectural Institute of BC, Association of British Columbia Forest Professionals*)
    - One other Canadian engineering and geoscientist professional association (*Association of Professional Engineers and Geoscientists of Alberta*)

While EGBC's Policy on Committee Member Term Length ('Policy') does not expressly state the committees it covers, for the purposes of our review, our review is restricted to EGBC's five statutory committees established by the Act: Audit and Practice Review Committee, Credentials Committee, Discipline Committee, Investigations Committee, and Nominating Committee (together referred to as 'Statutory Committees').

The Act expressly states that EGBC's Councillors may not be a member of its Statutory Committees.[1] As such, EGBC's Statutory Committees are composed of registrant and lay committee[2] members and considerations with regards to Council renewal are not part of our considerations.

2. CONSIDERATIONS AND ANALYSIS

Overview of Term Limits

Term limits are often put in place as a method to ensure that committees can maintain an independent view and that the approach to committee work does not become routine and unmindful. They also allow a larger group of individuals to participate in the related activities since, ideally, positions become vacant at regular intervals, allowing more individuals to take part. Their adoption can promote continuity and stability within committees. However, term limits are also a blunt tool, and, without flexibility, they eliminate effective as well as non-effective members.

[1] Section 23 of the Act. However, an exemption was granted by the Office of the Superintendent which permits the Immediate Past President to sit on the Nominating Committee.
[2] As defined in the Act as an individual who is not a registrant of EGBC.

A summary of pros and cons of term limits are set out in below:

Pros	Cons
• Avoids stagnation, tiredness, boredom, and loss of commitment that can sometimes set in when committee members serve long terms • Avoids the perpetual concentration of power within a small group of people and the intimidation of new members by this dominant group • Provides a respectful and efficient mechanism for the exit of passive, ineffective, or troublesome committee members • Facilitates the ability to bring new ideas and new perspectives to the committee and its decision-making process • When staggered, provides a built-in balance of continuity and turnover • Provides opportunities to change and improve group dynamics • Provides opportunity for the council and the organization to work with registrants who can devote only a few years to committee service/organization • Provides an opportunity to expand the number of registrants that are involved in the work of the organization	• Potential loss of expertise or insight that has benefited the committee and organization over time • Need for the organization (including the council) to dedicate more time to the identification, recruitment, and orientation of new committee members • Need to dedicate additional time to building the cohesiveness of the committee as members rotate on and off • Potential loss of organizational memory and of past decisions • Can create a sense of inflexibility for the committee and organization

Discussions about term limits center on how to maximize committee member productivity during the term. Often, one year is too short a time for a committee member to get acclimated, develop expertise and to make a meaningful difference. One-year terms also require the organization to recruit every year and constant energy being spent on orientation, which isn't productive either. Too lengthy a limit and the benefits of having limits (e.g., independence, increasing registrant participation) are not obtained.

Most organizations find that two- or three-year terms work best. Staggered terms are preferred so that the committee doesn't refresh all at once. The general rule of thumb for best practices suggests that committees should turn over no more than one-third annually.

In some instances, an individual's contribution on a committee may have little to do with tenure. If anything, the correlation is likely to be positive. For this reason, we believe that organizations must retain discretion to preserve vital institutional memory of high performing and contributing members.

It is worth noting that committee structure, size and composition are all key components to overall committee effectiveness. Term limits are only one facet of committee composition that can help to

enhance the effectiveness of a committee. Ideally, term limits and committee practices should work in tandem to support the committee's ability to perform their duties and roles consistently and effectively.

EGBC's Term Length

EGBC's Term Length Policy stipulates that a term of office shall be two years, with a maximum of two reappointments except when Council deems it appropriate to extend beyond six years. Upon reaching six years, a committee member either agrees to step down or requests for their term to be extended.

The table below summarizes the average tenure of EGBC's Statutory Committee members as well as the required time commitment necessary for each Statutory Committee.

	Audit & Practice Review	Credentials	Discipline	Investigation	Nominating[3]
Average Term Limit	8 years, 4 months	6 years, 7 months	5 years, 11 months	6 years, 7 months	1 year, 3 months
Tenure of Longest Serving Member	24 years, 2 months	30 years, 6 months	19 years, 11 months	22 years, 7 months	2 years, 6 months
Tenure of Shortest Serving Member	4 months	1 year, 5 months	1 year, 2 months	4 months	6 months
% of Members Serving Beyond Six Years	40%	35%	38%	27%	0%
Time Commitment	10 meetings[4]	10 meetings[5]	2-3 meetings (discipline hearing panel) 3-4 meetings (discipline review panel)[6], administrative meeting	10-12 meetings[7]	6 meetings and 2 days for interview panel[8]

The average tenure of a committee member for three of the five Statutory Committees (Audit & Practice Review, Credentials, and Investigation) is beyond the six-year term limit set out in EGBC's Policy. Similarly, at least a third of committee members of the Audit & Practice Review, Credentials, and Discipline have

[3] The new committee composition took effect following implementation of the Act and updated Bylaws in February 2021.
[4] Meetings typically are for 2.5 hours.
[5] Meetings typically are for 2 hours.
[6] Disciplinary meetings typically last for 2-3 days; although may be longer.
[7] Meetings typically are for 2 hours.
[8] Meetings typically are between one to two hours, except one half-day meeting.

served on the respective committee for a period beyond six years. The spread of the terms is also quite significant; ranging from a number of recently appointed individuals to individuals who have served on a committee for 20+ years. For those individuals, an extension to extend their appointment for approval to Council would have occurred no less than seven times.

As such, EGBC's term limit policy is not being strictly enforced. There can be several factors why this may be the case. For example, specialized skills to support the committee may not be readily held by registrants, suitable candidates may be in short supply, or there may be a limited number of individuals who have the desire to dedicate time to the role.

A high proportion of members with long tenure may be seen as a concern. Committee renewal is important to enable new ideas and perspectives, refresh the committee's skills, inject 'new blood' to the committee's discussions and to increase diversity (in addition to the pros set out in the table above). Beyond that, managing reappointment extension requests can create an administrative burden, both for staff and the Council, taking up time at Council meetings and redirecting staff's time and attention from other matters.

Evident from the Statutory Committee rosters is the spread of tenures at EGBC. Committee members tend to have served for either less than 5 years or greater than 15 years. As such, there is a significant difference in terms of the experience held by committee members. However, committee members with a range of tenures can contribute to the effectiveness of the committee. Recent additions to the committee may bring new perspectives, while members who have served for a number of years bring experience, continuity, institutional knowledge, and insight into the committee's business.

It is worth noting that the time commitment required for each committee is, at a minimum, 25 hours per annum. Demonstrating that committee members are active throughout their tenure and do not sit on the committee merely to pass the time but are engaged and present.

Market Comparables

A factor to consider in assessing the appropriateness of EGBC's committee member term limits is to consider practices adopted at comparable organizations. WATSON gathered information about these organizations by reviewing their meeting policies, annual reports and speaking with key individuals where available.

Please note that as part of our analysis we have not assessed the effectiveness of these limits on the committee's ability to function and manage orderly turnover but have limited our review to identifying what the limits are. A determination of the effectiveness of the comparator group's term limits cannot be determined without a deeper investigation of their governance practices and that is beyond the scope of this review.

Appendix A sets out the term limits adopted by the comparator group along with their respective statutory committees.[9]

In reviewing the Market Comparables, we identified the following:

- Common term lengths were one or three years with the ability to renew
- One organization provided a term length of four years (*Association of British Columbia Forest Professionals)*
- The majority of the comparator group capped total term length at six years. Of interest:
    - Term lengths at two organizations went beyond six years (*College of Chiropractors of BC* – up to 9 years; *Association of British Columbia Forest Professionals* – up to 8 years)
    - One organization permitted individuals to serve on a committee beyond six years provided there is a one-year break in their membership (*British Columbia College of Nursing Professionals*)
    - One organization stipulated that former members of a committee who have served the term limit maximum (8 years) may be considered for reappointment after undergoing a vetting process (*Association of British Columbia Forest Professionals)*. We have been unable to verify what is involved in this process and the criteria that is taken into consideration. Furthermore, their bylaws expressly state that committee members (including former members) are eligible for reappointment to the committee at any time

Term Limit Extensions

As set out in EGBC's Policy, the criteria that are taken into consideration by the Council to extend a committee members' term beyond six years is based on three qualities:

- Training: Ensure the committee has enough adequately trained members to perform the duties
- Specialization: Ensure the committee has members with appropriate specialization to perform their duties
- Continuity: Ensure adequate continuity on the committee and consistency of decisions

(together referred to as 'Criteria')

These are well considered factors but drive more at EGBC's ability to recruit and onboard members rather than whether the individual in question contributes effectively and their term should be extended. Furthermore, a degree of continuity can be managed by staff who support the work of the committee. As such, there are a number of additional factors that should also be considered when determining the criteria to extend an appointment:

1. Performance and Commitment
2. Diversity

[9] We were unable to verify the term limits adopted by the statutory committees of the Association of Professional Engineers and Geoscientists of Alberta.

Taking each in turn:

1. Performance and Commitment

While longer tenured individuals have the time to increase their knowledge of committee proceedings and decision-making, there is no guarantee of their high performance. It should be made clear to new committee members, and again when discussions begin about the possibility of reappointment, that there is no automatic right for a second term (and beyond). Decisions to recommend individuals for reappointment should be based on an assessment of whether they have performed satisfactorily during their term, how they have demonstrated a commitment to protecting the public, and whether their skills and expertise continue to meet the needs of the committee. Each case should be considered on merit (using, for example, attendance records, performance feedback, etc.) and whether the committee member is able to continue to commit the required amount of time to the role.

The committee chair/staff member should be able to explain to the Council why a particular exemption was warranted in the context of the assessment of an individual's performance. It is increasingly common for committee members to participate in a committee peer evaluation process. At EGBC, we appreciate that individual evaluations/peer reviews are not currently undertaken, and this would require additional mechanisms to be put in place. However, this process does not have to be intensive and could simply be managed by way of a conversation between a committee member and the committee chair.

We acknowledge that this consideration lends itself in the context whereby there is a pool of suitably qualified individuals willing to step in to the role. Recruiting volunteers to statutory committees can be challenging but that is a different issue.[10] The importance of ensuring that committees are effective and value-adding through the appointment of skilled, competent and engaged individuals should be an important consideration when determining whether to extend an individual's appointment.

2. Diversity

Diversity is also an important consideration at EGBC. Position descriptions for Statutory Committee members expressly state that within the context of the required committee skills, consideration is given to creating a committee that provides a balance of perspectives. As such, committees are to be composed of individuals who demonstrate a diversity of backgrounds, perspectives, problem-solving approaches, and expertise, amongst others. For the purposes of committee composition, diversity includes designation, discipline, region, gender, and ethnicity, including underrepresented groups.

To support diversity at the Council-level, and as mandated by the Act, EGBC has established merit-based criteria through the creation of a merit-based candidate selection framework. Committee reappointments should also take into consideration this framework as part of their deliberations on whether to extend an individual's reappointment.

[10] We understand that EGBC are establishing a staff role who will be allocated the responsibility to support committee recruitment.

To support the implementation of an effective term limit policy we recommend that the additional considerations of the individual's performance and commitment and the diversity of the committee's composition also be considered along with the established Criteria.

The Policy indicates that staff will inform an individual that they have reached six years and the individual determines whether they would like to step down or if they would like to request an extended term from Council. If the individual requests an extension, staff will inform whether the individual meets the Criteria and therefore whether the request will go forward to Council for approval. There is an opportunity for EGBC to be more proactive in managing committee renewal through identifying gaps, identifying individuals who would add value and encouraging them to apply, being creative in advertising committee member opportunities and identifying great candidates. To drive these initiatives, a consideration is to empower the committee itself to take a greater leadership role in succession planning. For example, undertake an annual performance evaluation in order to assess the future needs of the committee, effectiveness of its decision-making, etc.

It is noted that at EGBC it is staff who assess whether a committee member meets the Criteria for an extension. More typically, committee chairs play this important role. Committee chairs provide leadership, help facilitate committee discussions and can establish strong working relationships with fellow committee members. As such, they are often best placed to lead these discussions rather than staff. However, consistency is an important consideration and staff can help support these discussions and ensure EGBC, as a whole, are adopting a unified approach.

Trends in Regulatory Governance

There have been recent changes in regulatory governance as governments identify and respond to public interest issues. Reforms to professional regulation proposed by the government of British Columbia have arisen across a number of sectors (real estate, engineers and geoscientists and health professionals).

For example, a report released in December 2018, on the governance of the College of Dental Surgeons of British Columbia[11] (CDSBC Report) details recommendations for reforming the health regulatory framework in British Columbia. Related specifically to term limits, the report recommends that the term limits of the board should be extended to three years, renewable for a further three years to:

'*Provide continuity and the expertise which comes with experience. This should apply to elected as well as appointed members*. *The current structure encourages amateurism and short-term planning. Regulation is a long-term business*.'

While this recommendation relates to term limits for boards, it places emphasis on the importance of the regulatory body's work and the need to think longer-term. The requirements of transparency, accountability and public interest are coming under greater scrutiny, and EGBC's Statutory Committees

[11] An Inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professionals Act, Professional Standards Authority (December 2018).

support the organization's pursuit of these aims. Similarly, the CDSBC Report recognizes the value of experience with less focus on the benefits of fresh perspective. As such, it may be construed that a longer term view in terms of tenure would be welcomed for regulatory organizations.

The CDSBC Report continues: '*Appointments to committees should be based on competence and merit*'. This is not surprising given recent shifts at regulatory organizations: elections are being replaced with appointment on merit, the proportion of public members is being increased to half or more, chairs are appointed separately, and public members may become chair. Considerations of competence and merit equally apply to committee reappointments and, as mentioned above, should be taken into consideration as part of EGBC's extension criteria as set out in the Policy.

While we appreciate that the CDSBC Report has been prepared within the context of health regulators, health regulators share a common mandate with EGBC and therefore, EGBC should be mindful of these recommendations and emphasis on a longer-term view as it considers committee term limits and reappointments.

3. RECOMMENDATIONS

At EGBC, the Statutory Committees support the Council's work and the organization's regulatory roles in protecting the public interest. The work is primarily concerned with licensing, registering and enrolment of registrants, ensuring the quality of professional competence, adjudicating members for misconduct, and supporting the leadership succession of the Council. As a result, it can be a steep learning curve for members as they familiarize themselves with the work of the committee and understand these technical roles. The associated onboarding and training undertaken by committee members can also be extensive. Consequently, it will take time for committee members to be able to contribute effectively.

It is crucial that EGBC has a structure that enables individuals time to learn and understand their committee role and responsibilities as well as being able to see a return on the investment made to educate and train these individuals.

Based on the considerations set out in this report, we recommend that EGBC consider extending their terms from two years to three years. A three-year term is in line with the practices adopted by the Market Comparables. It is also the same term limit that applies to EGBC's Councillors so there is some consistency and uniformity to adopting such an approach. Extending this period will provide more time for committee members to develop in the role and it may also help to alleviate some of the recruitment challenges that EGBC is encountering.

In respect of term limits, the broad norm based on the Market Comparables we considered was a maximum of six years. However, there were two other organizations from the comparators reviewed who have adopted term limits beyond six years, with the College of Chiropractors of BC enabling committee

members to serve for a period of up to 9 years.[12] Term limits adopted by the Council provide another frame of reference. The Act stipulates that Councillors may not serve for more than 12 consecutive years. Beyond the Market Comparables and the practice adopted by EGBC's Council, best practice guidelines for boards at public companies specify a maximum tenure of on average 8 – 10 years.[13] The purpose of these term limits differs to EGBC in that they act as a means of reinforcing the independence of the board from management. We appreciate that these practice guidelines are adopted by organizations much bigger than EGBC and are not in relation to committee term limits. Regardless, they represent an interesting observation and one which perhaps reinforces Harry Cayton's sentiment within the CDSBC Report of focusing more longer term.

Given that the average tenure of committee members for the Statutory Committees (except for the Nominating Committee) is beyond six years, the term limits already in place are not reflective of current practice. In light of the recommendation to extend terms to three years, EGBC should consider increasing the term limit to nine years. Nine years is neither greater than the limits adopted by EGBC's Council nor of the Market Comparables considered.

Other supporting practices that EGBC may also wish to consider is permitting members to rejoin the committee following a period of absence. The British Columbia College of Nursing Professionals enables members to rejoin the committee upon reaching their term limit provided the individual has taken a one-year break. Similarly, the Act enables Councillors to be reappointed to the Council following a break in service of at least three years. Challenges to recruit members was identified as a possible enabler to the length of tenure at EGBC. In light of such challenges, some organizations encourage committee members upon reaching their term limit to seek appointments at the organization's other committees. These individuals understand the organization, the content and, to some extent, its work and can bring a fresh perspective to another area/committee.

While we are a proponent of continuous renewing of boards and committees, we do not think that renewal should come down simply to a matter of counting. The importance of fresh thinking and new perspectives should be tempered with the understanding that experience often brings wisdom, judgement and knowledge. Therefore, EGBC's Policy should continue to have the discretion to extend reappointments, when necessary. As set out above, we consider factors such as an individual's performance and commitment in addition to enabling diversity as criteria that should also be considered as part of evaluating committee reappointments.

Another option to consider is to remain with the status quo. The length of terms and term limits are reasonable and in line with the Market Comparables. The need to seek approval for reappointment beyond six years will continue to provide the committee the opportunity to assess whether the committee requires something different as well as a natural break for those that wish to step down. The dedication

[12] Caveat: We have not verified the effectiveness of the committee term limit policies of the Market Comparables. As such, it is possible that committee members are serving beyond the term limits established in the policy.
[13] OECD Corporate Governance Factbook 2019.

of resource by a staff member who will be responsible for driving recruitment to the Statutory Committees may provide the necessary impetus to support committee renewal without the need to amend term limits.

As mentioned above other governance practices should exist in tandem with limits to support committee effectiveness. The practices discussed below can also support the main benefits of term limits (e.g., orderly turnover, consistent refreshing of perspectives, preparedness of Committee members and sustainability) and to minimize the unnecessary use of extensions. We recommend that EGBC (understanding that some of this may already be/is being put into place):

- Evaluate Committee orientation and education processes in order to assess what further support can be provided
- Consider how to formalize or support longer standing committee members in mentoring new members so that they can ramp up sooner and to alleviate any pressure to keep longer standing members due to concerns of losing consistency or institutional knowledge
- Consider its recruitment processes to develop a larger roster of potential committee candidates and to determine the specific skills that each committee could benefit from
- Consider the appropriate staggering of terms to support orderly turn over
- Develop evaluation touch points for committee members to support the inclusion of performance as a criteria for reappointment and ensure that those responsible for these touch points (e.g., Committee Chairs, staff, etc.) are supporting in this role

*** *** ***

WATSON appreciates the opportunity to work with EGBC on this important undertaking. We look forward to discussing this with EGBC in due course.

APPENDIX A: MARKET COMPARABLES

Organization	Statutory Committees	Duration
Architectural Institute of BC **(Architects Act)**	1. Consensual Resolution Review Panel 2. Disciplinary 3. Investigations 4. Registration Board 5. Remedial Review Panel	Most appear to be terms of three years with a potential for two terms with the exception of the Registration Board where terms appear to be 1 year in length. A minority of individuals have sat on a committee for 9 years or more.
Association of Professional Engineers and Geoscientists of Alberta **(Engineering and Geoscience Professions Act)**	Statutory Committees: 1. Discipline 2. Enforcement Review 3. Investigative 4. Practice Standards Statutory Boards: 1. Appeal Board 2. Board of Examiners 3. Practice Review Board	Statutory Committees: No mention in Act of term limits. Act states Council can decide but no mention in publicly available materials regarding terms. Statutory Boards: Practice Review Board and Board of Examiners : No mention of term limits in the Act. Appeal Board: The public member appointed by the Minister has a three-year term or until a successor is appointed. No mention of renewals. No mention of terms for the other members of the Appeal Board who are appointed by Council.
British Columbia College of Nurses and Midwives **(Health Professions Act)**	1. Discipline 2. Educational Program Review 3. Inquiry 4. Nurse Practitioner Examination 5. Professional Practise and Standards 6. Quality Assurance 7. Registration	Appointment terms are one, two, or three years. A person can serve for up to six consecutive years with a one year cooling off period before another reappointment is possible.

Organization	Statutory Committees	Duration
College of Physicians and Surgeons BC **(Health Professions Act)**	1. Executive Committee 2. Finance and Audit Committee 3. Registration Committee 4. Inquiry Committee 5. Discipline Committee 6. Patient Relations, Professional Standards and Ethics Committee 7. Quality Assurance Committee 8. Blood Borne Communicable Diseases Committee 9. Non-Hospital Medical and Surgical Facilities Accreditation Program Committee 10. Diagnostic Accreditation Program Committee	Appointed by the Board for one-year terms and typically for a maximum of six terms.
Association of British Columbia Forest Professionals **(Professional Governance Act)**	1. Audit and Practice Review 2. Credentials (formally Board of Examiners 3. Discipline 4. Investigation (formerly Complaints Resolution) 5. Nomination	Terms must not exceed four years with a maximum of two consecutive terms.
College of Chiropractors of BC **(Health Professions Act)**	1. Registration 2. Inquiry 3. Discipline 4. Quality Assurance 5. Patient Relations	Terms cannot exceed 3 years with eligibility for reappointment for no more than three consecutive terms.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.5

DATE	September 9, 2022
REPORT TO	Council for Information
FROM	Mark Rigolo, Director, Programs and Professional Development
SUBJECT	Operationalization of the Professional Governance Act
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To provide Council with a progress report on the operationalization of the Professional Governance Act.
Motion	No motion required, for information only.

BACKGROUND

The *Professional Governance Act*, implemented on February 05, 2021, replaced the individual governing legislation for five professional regulators, including Engineers and Geoscientists BC. The legislation also consolidates oversight of professional regulators in an Office of the Superintendent of Professional Governance (OSPG), which will set consistent governance standards across the five regulators[1]. The Architectural Institute of BC will come under the mandate of the PGA in the next 12 months.

Prior to February 5, 2021, the organization's main effort had been the development and drafting of bylaws required to ensure compliance with the PGA, as well as those bylaws required for the organization to continue to operate. Following Council review and approval, the bylaws were approved by the OSPG and Minister. Additional activity to meet the in-force date of February 5 included: transitioning Council from 17 members to 12, recruiting lay persons for statutory committees, introducing a merit-based appointment system for statutory committee chairs, introducing a new online register and annual renewal process, developing a mandatory CE program, and implementing a revised Code of Ethics and guide.

[1] The five regulators include Engineers and Geoscientists BC, Association of BC Forest Professionals (ABCFP), Applied Science Technologists and Technicians of BC (ASTTBC), BC Institute of Agrologists (BCIA), College of Applied Biology (CAB).

All these changes were supported by a robust communications plan focused on both registrants and staff.

DISCUSSION

The initial PGA implementation phase – those activities required for the introduction of the PGA on February 5, 2021 – is complete. Work continued throughout 2021 and 2022 on putting the PGA into operation.

With the creation of the Strategic Plan for the organization, the work to put the PGA into operation has been made an integral part of the Plan as one of the strategic initiatives within the Process Pillar. Staff are working to develop a scope for the PGA project that will continue key elements of current work and work to develop and establish new programs and processes within the organization so that it can enforce the PGA effectively.

The PGA Operationalization project will now operate within the framework of the Project Management Office (PMO).

This report will provide an update on tasks which have been reported on in the past. Once the scope of the PGA work going forward has been refined and clarified, it will be communicated to Council. Future project update reports will provide updates on the agreed upon scope.

Compliance Audit Program for Individuals

This activity includes two main elements. First, the adjudication (completion) of the 33 practice reviews remaining from the old Engineers and Geoscientists Act (EGA). Second, the implementation of the new audit program.

The adjudication of the practice reviews under the EGA is almost complete and is on target to be completed by the end of December 2022. Given the accelerated registration of firms, we asked the OSPG to delay the start of the new program to manage staff workload and the OSPG agreed. Work on this program is on target for completion on the agreed date of July 2023.

Compliance audit Program for Firms

This activity will develop training and guidance materials for the Audit and Practice Review Committee (APRC) and auditors, hire and train auditors, and upgrade our internal software (MRM) to help manage the audit process. The status of this activity can be found in the update on the Regulation of Firms report submitted as part of this Council meeting agenda.

Practice Review Program for Registrants

Practice Reviews are currently available to be utilized as a reactive tool to review individual registrants. Although the program is available, staff continue to work on the development of support materials and tools and recruit for more practice reviewers. Staff have made the following progress:

- The Practice Review Initiation Policy is waiting for legal review.
- The Practice Review Assessor Manual has been drafted and is under revision.
- Staff are organizing a volunteer/contributor recruitment event for November 2022 for subject matter experts for Practice Reviews

The Practice Review program for firms will leverage the development work done for the Practice Review program for individuals so that these programs are aligned, and efficiencies can be gained.

Evaluating the necessity of exemptions to registration for individuals or firms

Several scenarios have been identified where it might be useful or necessary to grant an exemption to registration. This activity has focused on analyzing whether an exemption is necessary in each case, researching potential mechanisms for an exemption, and recommending solutions.

As the PGA amendments that were brought to Cabinet in the spring did not address the granting of exemptions to registration in any way, staff are continuing to research other avenues that do not involve Act changes to deal with the scenarios identified. An option that is being explored is the use of a 'temporary licence' category. This may allow the organization to address mobility and several of the other scenarios that were originally identified as part of this initiative. This project will also develop a plan to end the PGO mobility agreement as it is not compatible with the PGA. This will include a communication and change management process.

Managing bylaw changes

Several bylaw changes have already been identified and more will be added to the list as the PGA is operationalized. This project tracks, prioritizes and researches all proposed bylaw changes. The following significant bylaw changes were approved by Council at their meeting in April:

- adjust the timing of the staggered entry into the continuing education program for newly registered individual Registrants; and
- add another element to bring the Bylaws into line with the OSPG guidance on the procedure for delaying publication of disciplinary decisions where publication would cause prejudice to an ongoing matter. This project continues to be on track.

Other changes were made to correct typographical errors.

For the September Council meeting, there are three significant areas of change that will be brought to Council:

1. Changes related to the appointment, termination, and composition of members of the statutory committees are to
    - stipulate that council must appoint committee members;
    - require that Registrants with the right to engage in the Reserved Practice must constitute a majority on the Credentials Committee, Audit and Practice Review Committee, Investigation Committee, and Discipline Committee, while allowing these committees to continue functioning without a majority of Professional Registrants for up to one year; and
    - establish automatic removal of a registrant committee member who has been suspended or cancelled.

2. The amendments related to Council, Executive Director, Registrar, and Deputy Registrar(s) are to
    - stipulate that council must appoint an executive director;
    - authorize the executive director to terminate the appointment of the registrar; and
    - authorize the executive director to appoint and terminate the appointment of deputy registrar(s).
3. The amendment related to the Structural Engineers Program is to
    - adjust the requirement of practicing hours from an annual requirement to a three-year rolling period to match the schedule of the general CE program.

Other minor changes to fix more typographical errors will also be brought forward.

As the PGA was amended this year, several bylaw changes will be needed which will be brought to Council in November 2022 and the implementation of terminology changes from council to board and its associated terms will be brought to Council in April 2023.

SUMMARY

The organization has met the requirement for the implementation of the PGA and continues to establish and develop programs and processes so that it can enforce the PGA effectively.

ENGINEERS & GEOSCIENTISTS BRITISH COLUMBIA

OPEN SESSION

ITEM 6.6

DATE	August 23, 2022
REPORT TO	Council for Information
FROM	Lindsay Steele, P.Geo., Associate Director, Professional Practice Stuart Nash, P.Eng., Manager, Individual Audits and Practice Reviews
SUBJECT	Annual Reporting and Continuing Education Program Update
LINKAGE TO STRATEGIC PLAN	Process – We have efficient and effective systems in place to enable modern regulation

Purpose	To update Council on the Annual Reporting process and the Continuing Education Program.
Motion	No motion required. For information only.

BACKGROUND

With the implementation of the PGA and Engineers and Geoscientists BC Bylaws, Registrants are now required to complete Annual Reporting (AR) and Continuing Education (CE) Reporting by June 30 each year.

As a reminder, the AR process involves providing current contact and employment details, areas of practice information, completion of a criminal conviction declaration, and optional EDI questions. The AR process is a requirement for all registrants. The CE reporting process involves completing and documenting the CE Program requirements as per the EGBC bylaws. The CE Program requirements apply to all practising registrants; non-practising registrants, retired registrants, and Designated Structural Engineers have modified requirements. Trainees are not required to participate in the CE Program.

For this first CE reporting deadline, registrants had 3 requirements due by June 30:

1. Complete 1 hour of Ethical Learning through an avenue of their choice
2. Complete 1 hour of Regulatory Learning by watching the Engineers and Geoscientists BC Regulatory Module (2021/2022 Module is an overview of the PGA)
3. Complete and upload a CE Plan (templates are available on the website)

This is the second year that AR has been a requirement, however it is the first year when AR and CE were required during the same period. Learnings from the 2021 AR process resulted in several changes to both the AR requirements and reporting platform to ease the burden on registrants and staff.

Failure to complete the CE and AR requirements by June 30 first results in a late fee being applied ($100 for late reporting and $200 for late CE completion), then if a registrant fails to complete and report by September 30, their registration will be suspended, losing their right to practice. Finally, suspended registrants must complete the outstanding requirements and pay the late fees by December 31 to avoid cancellation.

DISCUSSION – Communication Campaign

Engineers and Geoscientists BC has communicated the new CE Program and AR requirements to registrants steadily since the introduction of the PGA in 2019. In the lead-up to the program's first-year requirements deadline, we initiated a comprehensive communications plan that utilized every available channel.

Engagement with our communication has been high. Webinar attendance has averaged approximately 500, and email open rates have ranged from 50-67%. This is significantly higher than our average of 35-40%.

Communication to Registrants

Month	Activity
January	**Email #1** – Reporting requirements are due June 30. Here's how to meet them. **eNews article** – Reporting requirements are due June 30. Here's how to meet them.
February	**Innovation article** – CE requirements by designation
April	**Email #2** – Reporting requirements are due June 30. Reminder to complete them. **eNews article** – Reporting requirements are due soon. **Innovation article** – completing and reporting your CE, step by step.
May	**Email #3** – Annual Reporting system is now available. Complete and report your CE and Annual information. **eNews article** – Annual Reporting system is now available. Complete and report your CE and information. **Webinar #1** – How to complete your CE and AR, step by step.
June	**Email #4** – Reminder: Complete before June 30 deadline. **Email #5** – Final reminder: Complete before June 30 deadline **eNews article** – CE reporting is due soon. Complete before June 30 deadline **Innovation article** – CE reporting is due soon. Complete before June 30 deadline **Webinar #2** – How to complete your CE and AR, step by step.
July	**Email #6** – You have missed the deadline. Late fees applied. Complete requirements before Sept 30 or registration will be suspended.
August	**Email #7** – Reminder: You have missed the deadline. Complete requirements before Sept 30 or registration will be suspended.

September	**Email #8** – Final reminder: You have missed the deadline. Complete requirements before Sept 30 or registration will be suspended. **Letter #1** - Final reminder: You have missed the deadline. Complete requirements before Sept 30 or registration will be suspended.
October	**Email #9** – You have failed to meet your CE requirements. Registration is suspended. Complete and pay late fee before Dec 31 or registration will be cancelled.
December	**Email #10** – Reminder: You have failed to meet your CE requirements. Registration is suspended. Complete and pay late fee before Dec 31 or registration will be cancelled.
January	**Email #11** – You have failed to meet your requirements. Registration is cancelled. Here is how to reapply.

Additional Implemented Communication Tactics

- A social media campaign on both Twitter and Linked In, plus FAQ videos;
- An icon on our homepage linking directly to CE information and reporting;
- Detailed information on our website;
- Notice banners on our marketing emails (e.g. CE events, employment listings, branch events);
- Notice banners on the Account area of our website;
- Direct outreach to Registrant Firms with 50+ registrants on staff.
- Ongoing outreach through various programs and advisory groups, such as including CE requirements slides in presentations for CE courses and branch events, and creating a summary handout for large firms seeking more information about CE and Annual Reporting requirements; and
- An explainer video detailing the process of completing the first-year requirements for the CE Program and the Annual Reporting requirements.

DISCUSSION – Compliance Results

In June 2022, staff provided an estimate on compliance results to Council based on the available data at that time. We are happy to report that the compliance rates were higher than predicted, see the following table for more detail.

Requirement	Projected % for June 30	Actual % on June 30	Actual % on August 18
AR	60-70	71	85
CE	70	83	88

Compliance rates have now reached a plateau, with very little change since reminder communication sent in early August.

CE Program Compliance

As of noon on August 18, 2022, the total percentage of registrants that were in compliance with the CE Program requirement was at 88%. The following is a breakdown of compliance per requirement:

- CE Plan developed and uploaded – 88%
- Ethical Learning Activity completed and reported – 89%
- Mandatory EGBC Regulatory Module Completed – 90%

There are a total of 26,433 practicing registrants, 2,899 of which are not in compliance with CE.

AR Compliance

As of noon on August 18, 2022, the total percentage of registrants that were compliant with the Annual Reporting requirement was at 85%. The following is a breakdown of compliance per Registration status:

- Practicing Registrants – 86%
- Trainees – 84%
- Non-Practicing Registrants – 81%

There are a total of 38,625 registrants across all categories, 5,689 of which are not in compliance with AR.

DISCUSSION –Impact on Registrants

While the overall compliance rates are quite positive given that these are new requirements, thousands of registrants did not complete the requirements. Staff recognize the additional burden this new requirement has had on registrants and continue to analyze feedback received to improve the process for next year.

At this point, the only consequence on registrants for late compliance is the $100 late reporting fee and the $200 late CE completion fee (if applicable), registrants still have until September 30 to comply.

Many of the registrants in non-compliance reached out to Engineers and Geoscientists BC to seek assistance following the June 30 deadline and requested a late fee waiver or refund. Staff have been issuing late fee waivers and providing refunds on a case-by-case basis to registrants who complete the waiver/refund request process and meet the approved criteria for a waiver/refund. Criteria include:

- Technical errors on Engineers and Geoscientists BC's part – e.g. bulk communication issues
- An unforeseeable emergency occurred or other factors which were beyond their control
- Financial hardship (does not have the means to pay)
- Recently returned from parental, medical, or compassionate care leave and was not aware of the requirements or deadline
- Received incorrect or unclear advice from Engineers and Geoscientists BC staff or we failed to respond to a request for support
- Submitted a late exemption request which was not processed before the June 30 deadline
- Completed CE on time and thought that meant they completed AR.

Approximately 2500 fee waivers/refunds have been issued to date.

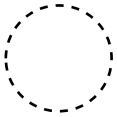
DISCUSSION –Impact on Staff

The implementation of the CE and AR requirements has required significant staff effort and coordination, in particular from the Professional Practice, Standards and Development Team, Information Systems Team and the Communications Team.

While staff were able to predict the potential compliance rates based on compliance last year with AR, it was difficult to accurately predict the volume of inquiries/complaints that would come in once registrants learned they were out-of-compliance and subject to a late fee. Staff have addressed more than 9000 inquiries since May 2022 on CE and AR. Engineers and Geoscientists BC does not have dedicated customer service staff, therefore all inquiries were addressed by administrative assistants, program coordinators and managers throughout the entire organization. While most of the interactions with registrants have been respectful, there were multiple registrants who became verbally abusive and unprofessional with staff. Staff will consider operational adjustments to the process next year to ease the burden on staff.

DISCUSSION - Lessons Learned

Based on the feedback from registrants and staff to date, it is clear that it is going to take time for registrants to become familiar with the new requirements, deadlines and technology. It is also clear that many registrants continue to view Engineers and Geoscientists BC as an advocacy body rather than a regulator, which makes acceptance of these new requirements even more difficult. We do believe that the issuance of late fees this year has provided clarity to registrants of the importance of the requirements and completing them on time. As such, we believe compliance rates will be much higher next year.



Based on feedback that we have received to date on the CE and AR Process, the following list represents the main reasons for non-compliance with these requirements.

1. **Procrastination**

    - **Why -** It is normal human behavior to delay action until the last possible moment.
    - **Impact** – Registrants who waited until the last week to complete the requirements were more likely to be in non-compliance. By leaving this until the last minute, they had little time to resolve any inquiries they had or potential issues they encountered.
    - **Potential Action(s)** – While Engineers and Geoscientists BC cannot influence normal human behavior, we will continue to use our communication avenues to promote the benefits of completing the requirements well ahead of the due date.

2. **Lack of Awareness**

    - **Why** – Registrants are not fully engaged, many admit they ignore our emails or rarely visit the website.
    - **Impact** – Many registrants have admitted they ignored our communications and/or they did not fully read our communications, thus they were unaware of the requirements or overlooked key elements of our communications
    - **Potential Action(s)** - Staff have used all existing communication tools available to us to provide the information that registrants needed to complete their reporting on time. These requirements have been communicated frequently and across all platforms for more than a year now. Additionally, messaging on the requirements has been provided to firm representatives and at committee and advisory group meetings, branch meetings, and at technical conferences and industry events attended by staff. Lack of registrant awareness/engagement is pervasive and is a significant hurdle that we and many other regulators face. It will take significant time, research, engagement, and additional resources to address this in the future.

3. **Confusion regarding Deadlines**

    - **Why –** Previously, the only deadline registrants had was December 31 when they paid their annual fee. Now there are two additional deadlines, June 30 for individual registrant CE and AR reporting and May 31 for registrant firm renewal and reporting.
    - **Impact –** The addition of new deadlines and requirements has been overwhelming for many registrants and has led to confusion and non-compliance.

- **Potential Action(s) –** Staff will be examining the current deadline schedule and assessing the costs and benefits of potential changes to these deadlines. If changes are recommended, staff will present proposed bylaw revisions to Council at a future Council meeting.

4. **Confusion regarding Requirements**

    - **Why –** Many registrants were confused with the difference between CE and AR and assumed completing CE meant they were compliant.
    - **Impact –** Many registrants were non-compliant in AR alone because of this confusion.
    - **Potential Action(s) –** Engineers and Geoscientists BC will examine additional ways to clearly communicate the difference between these two processes. We will also examine the costs and benefits of incorporating the AR requirement with the December 31 annual renewal requirement for individual registrants.

5. **Confusion regarding Platform**

    - **Why** – Some registrants have communicated that the reporting system is not intuitive.
    - **Impact** – Some registrants had difficulty navigating the reporting system, which unfortunately led to non-compliance. For example, many registrants failed to complete the last step of the process which was to click “submit”.
    - **Potential Action(s)** – Engineers and Geoscientists BC staff will be looking at how we can make the reporting platform more intuitive and possibly adding other prompts to registrant online portals if time and resources allow.

6. **Confusion regarding the Annual Reporting Requirement**

    - **Why** – This is the second year of AR, and it is now tied with CE reporting. Some registrants incorrectly assumed that since they completed the reporting last year or during the December renewal cycle, that they did not need to do it again this year. Additionally, since trainees are exempt from CE, many incorrectly assumed that AR was also not required.
    - **Impact** - Many registrants were non-compliant because of this confusion.
    - **Potential Action(s)** – Staff will examine ways in which we can provide additional clarity in our communications on these requirements.

NEXT STEPS

- Staff sent out a survey to registrants in late August to gather further information on their experience with the CE and AR process and requirements. The results of this survey along with staff feedback will be assessed to determine any necessary and achievable operational changes for next year's process.
- Staff will monitor compliance rates as we near the September 30 suspension deadline and will assess the need for additional communications, beyond those listed above.
- Staff will provide a status update to Council in November on suspension rates.
- Staff will implement identified operational changes to the process for next year, dependent on time and appropriate resources.
- Staff will consider the need for dedicated customer service staff.
- Staff will consider potential Bylaw changes and bring these forward to Council at a future meeting.